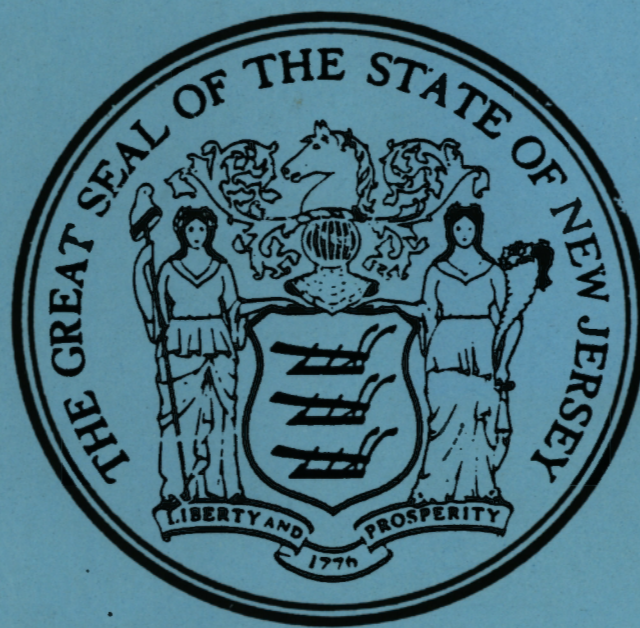


**REPORT OF THE WORKING GROUP  
ON THE ENFORCEMENT OF THE  
PREVENTION OF DOMESTIC VIOLENCE ACT**



**JUNE 1, 1984**

OFFICE OF THE COUNTY PROSECUTOR

MERCER COUNTY

COURT HOUSE

TRENTON, NEW JERSEY 08650

PHILIP S. CARCHMAN  
PROSECUTOR



June 1, 1984

The Honorable Thomas H. Kean  
Governor of New Jersey  
State House  
Trenton, New Jersey 08625

Dear Governor Kean:

The Working Group on the Enforcement of the Prevention of Domestic Violence Act is pleased to transmit to you this Report on our accomplishments, conclusions and recommendations.

The Working Group consisted of members from government, law enforcement and the private sector, all of whom are concerned with the prevention of domestic violence. The Working Group was charged with the task of developing State-wide guidelines in the area of enforcement procedures, reporting and training.

The Working Group has been meeting since February of this year, and now presents to you a Report which we believe sets forth important recommendations to strengthen the effectiveness of the Prevention of Domestic Violence Act. The diverse constituencies represented by the Working Group have fashioned a document which will be a worthwhile contribution to the furtherance of this goal.

Respectfully submitted,

PHILIP S. CARCHMAN  
Chairperson

Working Group on the Enforcement of the  
Prevention of Domestic Violence Act

PSC:ed

cc: Honorable Robert N. Wilentz  
Chief Justice of the Supreme Court

Honorable Irwin I. Kimmelman  
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## I. PREFACE

In an effort to deal comprehensively with the serious problem of domestic violence, the New Jersey Legislature enacted the Prevention of Domestic Violence Act, N.J.S.A. 2C:25-1 et seq., effective April 9, 1982 and amended July 23, 1982. This law is intended to provide a remedial framework in which the appropriate criminal laws will be effectively enforced and the victim protected without regard to the fact that the violence emanated from a domestic situation. The Legislature by enacting this statute has declared that domestic violence will no longer be excused or tolerated in New Jersey.

Accordingly, it is the primary purpose of this Act to ensure that the official response to domestic violence is to provide uniform enforcement of the existing criminal laws and civil remedies. Moreover, the Act stresses the protection of the victim from further harassment and violence. After the Act had been in effect for one year, Governor Thomas H. Kean requested the Department of Community Affairs, through its Division on Women, to assess the degree of effectiveness of the implementation of the Act. As part of its examination, Cheryl Edwards of the Division on Women met with Director Donald R. Belsole of the Division of Criminal Justice to solicit assistance in improving law enforcement's role in implementing the Act. In response to this request, Attorney General Irwin I. Kimmelman, and the County Prosecutors agreed to organize a Working Group to more thoroughly review the implementation of the Act.

As a result, the Working Group on the Enforcement of the Prevention of Domestic Violence Act was formed, and Mercer County Prosecutor Philip S. Carchman was selected as its Chairperson. Membership on the Working



Group included representatives from law enforcement, the judiciary, other governmental agencies, the State Bar Association and community social services agencies. The objective of the Working Group was to assess the current status of the enforcement of the Prevention of Domestic Violence Act, identify any shortcomings and provide recommendations for improvement.

The Working Group conducted its first meeting in February 1984 at which time it identified three target areas for review: Procedures and Enforcement; Reporting; and, Training. Chairperson Carchman established three subcommittees to study each of these issues. Accordingly, the following chapters of this Report set forth the results of the Subcommittees' research, analyses and recommendations.

## II. PROCEDURES AND ENFORCEMENT SUBCOMMITTEE

### A. INTRODUCTION

In 1981, our Legislature declared in unequivocal terms the public policy of this State in dealing with domestic violence. That policy is to provide prompt and effective assistance to domestic violence victims. The urgency of this problem is reflected in the legislative findings. N.J.S.A. 2C:25-2.

Even a cursory review of these findings underscores the strength of the legislative commitment to alleviate this problem. Every public official and law enforcement officer who comes into contact with domestic violence must be cognizant of this commitment. As a corollary, it is equally the responsibility of those involved in detecting and preventing domestic violence to take all measures necessary to effectuate the statutory goals.

As part of this responsibility, the following portion of this Report has been drafted by the Procedures and Enforcement Subcommittee. Four general areas have been discussed, with separate proposals offered to enhance the overall effectiveness of the Prevention of Domestic Violence Act. The areas which this chapter explores are law enforcement, support and assistance to victims, court procedures, and legislative recommendations. It is hoped that these proposals will provide a viable mechanism for implementing the legislative mandates.

B. LAW ENFORCEMENT/POLICE

1. Recommendation that Police Departments Adopt Standard Operating Procedures for Responding to Domestic Violence Calls

Law enforcement response to domestic disputes obviously did not originate with the enactment of the Prevention of Domestic Violence Act (N.J.S.A. 2C:25-1, et seq.) by the Legislature in 1981. This has been an important function of municipal police departments from their inception.

Most law enforcement officers are aware that a large percentage of their calls involve domestic or family disturbances. They also know that many police officers have been killed in the line of duty while responding to such calls. As a result, most law enforcement officers feel uncomfortable about responding to domestic disturbance calls. This attitude comes about not just because such routine calls can suddenly turn violent and deadly, but is also due to the officers' frustration in dealing with irate individuals who are involved in such disputes. This frustration and lack of enthusiasm may result in certain police officers treating such occurrences differently than a response to a "crime". It was precisely this attitude, as well as other factors, which prompted the Legislature to enact the Prevention of Domestic Violence Act in 1981. This fact is noted in the legislative finding in N.J.S.A. 2C:25-2, which reads in part:

"[P]revious societal attitudes concerning domestic violence have affected the response of our law enforcement and judicial systems, resulting in these acts receiving different treatment from similar crimes when they occur in a domestic context."

The Prevention of Domestic Violence Act imposes a number of responsibilities upon police officers responding to domestic disturbances. These include the power of arrest, notice of rights to victims, completion of required reports and enforcement of court orders. These specific responsibilities imposed on the police officer are interrelated with those placed upon the court system as well as upon social service agencies. It is, therefore, understandable that there would be, in the beginning, some confusion or misunderstanding on the officers' part of their role under the Act.

Since it is important to eliminate confusion and misunderstanding, most police officers would eagerly accept a standard operating procedure (SOP) established by their departments outlining the proper procedure to be followed in handling such calls in accordance with the legislative scheme. Such a detailed SOP would be a step in the right direction in attempting to combat the frustration previously noted on the part of police officers with regard to such calls. It would also ensure a uniformity of response on the part of every member of the department, despite the fact that different officers may respond to the same scene. For all of these reasons, this Subcommittee strongly recommends that every municipal police

department formally establish a written SOP on domestic violence calls for its personnel. To assist local police departments in this regard, Appendices A and B contain two SOP's which have been developed by local police departments which have come to the attention of this Subcommittee. The Subcommittee has purposely not recommended any one model SOP for all departments. The SOP's in Appendices A and B are intended only to be a starting point for departments in establishing their own procedures suitable to their particular size and other individual concerns.

2. Guidelines for Arrest Under the Domestic Violence Act

Police officers must respond without delay and investigate all domestic dispute incidents, paying particular attention to domestic violence as defined under the law.

a. OFFICERS MUST ARREST IF:

- (1) A warrant is in effect
- (2) Violation of a restraining order
- (3) Indictable Offense (warrantless arrest)
  - (a) Homicide 2C:11
  - (b) Rape/Sexual Assault 2C:14
  - (c) Aggravated Assault 2C:12
  - (d) Robbery 2C:15
  - (e) Kidnapping 2C:13-1
  - (f) Criminal Restraint 2C:13-2
  - (g) False Imprisonment 2C:13-3

b. OFFICERS SHOULD ARREST (warrantless arrest) WHEN:

(1) Other offenses where probable cause for the offense is indicated and where:

- (a) A weapon is present and is involved in the commission of a domestic violence act;
- (b) A threat is made in the presence of an officer where the victim is put in imminent fear of injury to life or limb;
- (c) There is reason to believe that further acts of violence may occur;
- (d) The conduct constitutes Criminal Mischief, N.J.S.A. 2C:17-3;
- (e) The conduct constitutes a Burglary, N.J.S.A. 2C:18; or,
- (f) The conduct constitutes a Theft, N.J.S.A. 2C:20;

c. SOCIAL/SUPPORT SERVICES; ASSISTANCE TO VICTIMS

1. The Procedures and Enforcement Subcommittee of the Working Group recommends the provision of support services to the Family Part of the Chancery Division regarding domestic violence matters. Specific support services identified by the Subcommittee as essential, statewide, are:

- a. Crisis Intervention Team Assistance To Law Enforcement

Domestic violence has always been one of the most frequently dispatched and dangerous situations faced



by police officers. Time Magazine reported last September that close to 20% of deaths and 40% of injuries of police officers on duty result from intervention in family disputes. An effective response to domestic violence crises extends beyond the exclusive role of the police officer. N.J.S.A. 2C:25-4 recommends the establishment of domestic violence crisis intervention teams to provide a multi-faceted intervention strategy. The establishment of domestic violence crisis intervention teams would provide support and assistance to police and would work toward a reduction in the number of repeat calls for intervention;

b. Domestic Violence Legal Advocacy Assistance

A victim of domestic violence going to Court to obtain a restraining order can be overwhelmed by the experience. This is especially true if the victim cannot afford an attorney to guide her through the trauma of appearing in Court. There is a strong need for sensitive and trained domestic violence legal advocates to prepare testimony, collect evidence, provide bilingual assistance in processing domestic violence complaints, interpret the orders of protection and occasionally speak on behalf of the victim;

c. Counseling Programs Specifically Designed To Address The Problem Of Domestic Violence And To Provide Accountability To The Court

The Family Part of the Chancery Division has been charged with the responsibility of confronting the underlying issues that bring families to the Court's attention. The Court is further encouraged to utilize the assistance of community resources to attempt to resolve the problem. Counseling programs specifically designed to address domestic violence can make a significant impact on the number of cases requiring repeated legal remedy. Counseling services can help to eliminate escalating family crises so often resulting in injury (62%) and death (25% of all homicides). Counseling designed to confront the violence, identify patterns of abuse and address the underlying causes of violent behavior has been proven to be an effective long-term intervention strategy. However, it is only by combining a broad range of intervention strategies including shelter, concrete advocacy services, counseling, preventative education and legal remedies, that the intergenerational transfer of violent behavior can be permanently interrupted.

2. Domestic Violence Crisis Intervention Teams;  
Supportive Services for Police

"Law enforcement agencies may establish domestic crises teams or individual officers may be trained in methods of dealing with domestic violence. The teams may include social workers, clergy or other persons trained in counseling, crisis intervention or in the treatment of domestic violence victims. When an alleged incident of domestic violence is reported, the agency shall dispatch a domestic crisis team or specially trained officer, if available, to the scene of the incident."  
N.J.S.A. 2C:25-4.

Domestic violence has always been one of the most prevalent and dangerous crisis situations faced by police officers, and often involves repeated dispatches to the same household. Currently, training materials and standard operating procedures for police response to domestic violence are being revised in accordance with the Prevention of Domestic Violence Act. Though considered essential, these revisions place even further responsibilities, work and stress on law enforcement personnel.

An effective response to domestic violence crises is comprised of a number of elements which include appropriate law enforcement response, but extend beyond the role of a police officer. The provision for domestic violence crisis teams in N.J.S.A. 2C:25-4 speaks to this need for a

multi-faceted strategy for effective intervention.

Domestic violence crisis teams also address the serious need for support and assistance to police officers who must deal with these highly volatile and complex situations.

Ideally, response to a domestic violence crisis would include the following:

- a. Protection of the victim/restraint of the offender;
- b. Verification and enforcement of any existing court order;
- c. Provision of medical attention, if required;
- d. Attention to the emotional and physical needs of children or other household members;
- e. Provision of victim's rights;
- f. Thorough explanation of legal rights and options to victims, including the difference between civil and criminal charges and their possible consequences;
- g. Discussion with the alleged offender regarding the immediate and possible consequences of domestic violence;
- h. Transportation of victim to appropriate location for signing a complaint(s), if victim so chooses;
- i. Thorough provision of information regarding available community services designed for

victim, offender and children, including crisis intervention, counseling, legal advocacy and long-range supportive services;

j. Processing and enforcement of any court order resulting from the incident; and,

k. Completion of required police reports and paperwork.

Clearly, to provide such a comprehensive response could require lengthy intervention and does require some service and skills not expected of a police officer. Yet, without this kind of thorough intervention, which addresses the legal and emotional complexities peculiar to domestic violence, the opportunity to minimize the need for further police involvement could be lost.

It is therefore recommended that domestic violence crisis intervention teams be established to provide immediate and comprehensive intervention which includes the elements listed above. Teams could be comprised of two or more on-line officers from each police department who would be dispatched to domestic violence crises whenever possible. However, in order to provide real support and assistance to police officers, these teams would need to include personnel other than regular on-duty officers. Teams can consist of specially trained on-duty and/or off-duty officers, as well as one or more professional or paraprofessional workers who are knowledgeable and

experienced in the area of domestic violence. Ideally, each municipal police department should establish a crisis team.

Intervention by a crisis team may not be appropriate for every domestic violence crisis. The decision as to the appropriateness of team intervention can be made by the on-duty officers who initially respond to the call for assistance. The decision would take into consideration the particular circumstances of the incident and the wishes of the parties involved . Under no circumstances should team intervention delay or interfere with a victim's right to sign a complaint.

Domestic violence crisis teams differ in purpose from that of the juvenile-family crisis intervention units established in each county in conjunction with the Family Part. The latter are charged with encouraging families to exhaust available community social services to deal with their particular problem before judicial remedies are utilized. The focus of juvenile-family crisis units is in keeping with the philosophy of the new code of Juvenile Justice. However, it differs from the philosophy of the Prevention of Domestic Violence Act, which stresses the dual civil-criminal nature of domestic violence and provides for immediate court relief for the victim. It is incumbent on domestic violence teams to insure that the victim understands his/her legal options and to assist the



victim in utilizing these options if the victim so chooses. Also, it is suggested that individuals trained to deal with those situations defined as "juvenile-family" crisis may not be adept at handling domestic violence crises without special training. It is, therefore, important that domestic violence crisis teams consist of individuals specially educated and trained to deal with the particular complexities of this problem.

It is acknowledged that funding for training, staffing and operation is needed to establish crisis teams. It is recommended that such teams be regarded as one of the priorities for funding in this State's attempt to develop effective strategies for reducing incidents of domestic violence. The Department of Human Services, Division of Youth and Family Services, has recognized this need and has funded a pilot crisis intervention team project in an Ocean County municipality. Evaluation of the Ocean County project could be useful in further refining the design and operation of crisis intervention teams.

### 3. Community Services and the Central Intake Unit

The need for central intake units in the Family Part of each county for the processing of domestic violence complaints has been recognized by the Administrative Office of the Courts. The Administrative Office of the Courts has addressed this problem and is currently formulating guidelines for the processing of domestic violence

complaints, the routing of related paperwork to appropriate parties and the maintenance of updated litigant records. The Training Subcommittee of the Working Group on the Enforcement of the Prevention of Domestic Violence Act has addressed the need for sensitivity and policy training for court personnel responsible for the processing of domestic violence complaints. It is further recommended that the central intake units assist in the coordination of the Family Part with community services by the routine provision of service information to individuals signing domestic violence complaints.

The central intake unit is ideally situated for insuring that victims who choose to use their civil legal options under the law are aware of the availability of community programs designed to assist them. Written materials regarding programs which provide legal advocacy services and programs providing counseling and crisis intervention services could be distributed to intake workers as a matter of routine. Intake workers should be familiar with the supportive services available in the county and be responsible for maintaining adequate supplies of written materials, (e.g., brochures, program descriptions, etc.), in order to make them available to victims. These materials can be supplied by the servicing agencies.

The kind of supportive services available to victims of domestic violence varies from county to county, as do

the types of programs which provide these services. However, every county includes at least one program which offers, at a minimum, the basic crisis intervention services required by victims of domestic violence. The Department of Human Services, Division of Youth and Family Services has begun to develop a five year plan which aims at insuring that each county is adequately funded to provide necessary "baseline" and "expanded" services to victims based on county need. As part of state-wide needs assessment, the Division's Office of Policy and Planning has prepared a chart of the kinds of services currently available in each county. (See Appendix C).

The routine referral of victims to qualified programs designed to deal with domestic violence will benefit many victims, but will also benefit Family Part personnel. When victims utilize supportive services, particularly legal advocacy services, they are more likely to follow through with the court hearing, be less confused about their feelings and long-term choices regarding their relationship with the offender, make a clearer presentation at the court hearing, and provide court personnel with changes in their situation which may impact upon court orders. Cooperative working relationships between central intake units and local community services would prove beneficial to victims, to the Family Part and to those providing services. This recommendation could be implemented immediately, with minimal time and expense to Family Part personnel.

#### 4. Domestic Violence Victim Assistance

A victim of domestic violence going to court to obtain a restraining order can be overwhelmed by the experience, especially when one has never been exposed to the criminal justice system before. Combine this experience with a defendant who has the financial means to obtain an attorney for his defense; the situation now escalates into an emotional draining saga for the victim who is not properly educated about the legal system, and now she is made to feel inferior while her defenses weaken to the adversary.

There is a strong need for the availability of a sensitive and trained domestic violence victim assistance person who can occasionally speak on behalf of the domestic violence victim, and, especially when she cannot afford an attorney, to guide her through the trauma of appearing in court. Additionally, this person may be needed to aid the victim in preparing and collecting evidence. Finally, in the urban areas, a bilingual individual could be necessary to assist in processing the complaint and interpreting the terms of the restraining order, which are in English.

It would be necessary for the judges and court personnel to be able to recognize an individual assisting the victim upon entering the courtroom. Victim do have rights and one is freedom from intimidation. It is a humiliating situation to appear without legal representation and have your case postponed until you can afford an attorney, or to have the hearing proceed.

The Legal Services of New Jersey programs are overloaded with their own caseload and may not have the time or staff to assist a client with an emergency restraining order. An ideal source for domestic violence victim assistance persons can come from various shelters, the Victim/Witness Assistance Units in the Prosecutor's Office or other parties showing empathy. (See Appendix D). A domestic violence assistance person could appear with the victim, thereby alleviating the cause for a dismissal. This program could benefit the court as well as the victim.

In conclusion, although legislation was drafted so that a domestic violence victim would have access to court without a legal representative, it has now become necessary for a domestic violence assistance person to take a supportive role before, during, and after the court proceeding, thereby giving the victim the self-esteem that is essential for her survival.

##### 5. Domestic Violence Counseling Services

The establishment of the Family Part of the Chancery Division has led to new expectations for more thorough intervention policies. The Family Part has been entrusted by the legislature with the enforcement of the Prevention of Domestic Violence Act. Accordingly, the Family Part has been encouraged to seek assistance from community resources in attempting to resolve the problem of domestic violence. Counseling programs specifically designed to address

domestic violence can impact upon family members and significantly reduce the number of cases requiring repeated legal remedy. By identifying the underlying causes of violent behavior, as well as addressing the symptoms and patterns of abuse which seem to statistically repeat themselves, counseling can be an effective long-term intervention strategy.

The domestic violence service delivery system has generally been organized to respond to crisis situations. In some cases of family violence, the impact of intervention at the time of crisis will result in substantive, positive changes for the family. However, there is a need to expand the provision of services to include comprehensive counseling and to train existing professionals in order to help these families before the violence escalates, often resulting in serious injury and death. However, it is imperative that counseling programs specifically designed to address domestic violence be the designated service provider and the Courts are encouraged to fully utilize such programs that already exist in the community.

In many cases, the violence is not directly confronted because of fear of the batterer. The problem is defined in terms of "female masochism," or other dysfunctions evident in the family system which are more comfortably targeted. (i.e., alcoholism, neurosis and depression.)



Most often the abuser refuses treatment for himself, the abused spouse and the children. In some cases, the abused wife may refuse service and seem reluctant to accept aid. However, any ongoing violence in the home is emotionally neglectful and abusive of the children who are at great risk (22% are physically abused) and suffer the after effects of the violence in their homes.

The Family Part via a temporary or final restraining order issued upon the filing of a complaint can order the batterer to participate in counselling, and thereby provide the motivation for him/her to seek help and change his behavior. The Court can communicate that domestic violence is a crime and that the responsibility for the violence rests with the perpetrator, despite the tendency toward denial and projection of responsibility onto other family members.

To be effective, a domestic violence counseling model must provide a forum for the development of a supportive alliance with the individual, create a safe context in which the individual can first ventilate rage and frustration, begin to assess her/his situation and options, and then experiment with new ways of dealing with life's problems. The choice of type of treatment modality must be a clinical decision and not a judicial mandate. Treatment planning is based upon an assessment taking into consideration such factors as: the presenting problem, the

history of abuse, the relationship, the children and previous relationships, family background and personal assessment.

a. Individual Counseling: This modality is most useful and likely to be sought at the point of family crisis when the individual family member needs to be helped to focus on immediate decisions and problem-solving.

b. Family Counseling: This modality is most useful when violence involves the entire family, but has lessened in its intensity. It provides the family with the opportunity to alleviate other areas of family stress and to reduce rigid family boundaries.

c. Group Counseling: Group work is useful for the victim, the abuser, and the children in violent families. It provides the opportunity for them to receive peer encouragement and support, solve unique and common problems, develop new skills and make decisions.

d. Marital Counseling: This modality is typically used to work with couples on specific problem areas, after the violence has subsided. Violent behavior should never be sanctioned or excused.

e. Follow-up: In cases when counseling has been mandated by the Court, it is essential that the service provider be accountable to the supervising

agent. Record of compliance with the court order, attendance at counseling and periodic progress reports should be maintained as part of the litigant's records. Appendix E is a sample Affiliation Agreement between a counseling program and the Family Part of the Chancery Division in Bergen County. The affiliation agreement has been proposed to delineate roles and responsibilities and to establish a system of accountability.

The entire criminal justice system is being challenged by the growing numbers of domestic violence cases involving pursuit of legal remedies under the Prevention of Domestic Violence Act. We can no longer ignore domestic violence as a growing social crisis and responsibility. Law enforcement, the Courts and helping professionals must implement a system of service delivery supportive of the intervention process established in the legislation. Community resources available and skilled to provide additional support, protection and prevention must be effectively utilized to interrupt the cycle of violence. It is only by combining a broad range of intervention strategies including shelter, concrete advocacy services, counseling, preventative education and legal remedies, that the intergenerational transfer of violent behavior can be permanently interrupted.

D. COURT PROCEDURES

1. Venue

a. Findings

N.J.S.A. 2C:25-12(a) provides that a victim of domestic violence may file a complaint with the Juvenile and Domestic Relations Court (now Family Part) in conformity with the rules of court. R. 4:3-2 indicates that venue in all actions in the Superior Court other than those specifically listed, shall be laid in the county in which the cause of action arose, or in which any party to the action resides at the time of commencement, or in which the summons was served upon a non-resident defendant (See also R. 5:2-1). Therefore, it appears that a victim of domestic violence may file a complaint for a temporary restraining order in the county where she resides, where the defendant resides or where the incident of violence occurred. N.J.S.A. 2C:25-14(g) further indicates that once an application for a temporary restraining order is filed and issued, the matter is sent to the Juvenile and Domestic Relations Court (now Family Part) of the plaintiff's vicinage for a final order.

Various questions concerning venue have been raised for resolution as follows:

- (1) A question of interpretation has arisen as to whether a victim who has removed herself

from her home where the violent incident occurred and who has moved to another county to live in a shelter or with relatives is permitted to file for a temporary restraining order in the county of her new residence;

(2) Whether once a victim files in the county where the incident occurred, the court will require the hearing for the final order to take place where the victim resides pursuant to N.J.S.A. 2C:25-14(g); and,

(3) Whether a temporary restraining order issued at night in one municipality is enforceable if violated in a different municipality.

b. Recommendations

(1) Since R. 4:3-2 specifically indicates that a victim can file a complaint in the county where she resides at the time of the commencement of the action, complaints should be freely accepted by court personnel from victims who have moved to shelters or to a relative's home due to the violence. "Residence" is a more liberal term than "domicile", and the victim should not be required to prove an intent to make the new residence her permanent home. The victim need only show that she is living in the county at the time she seeks to commence the action.

(2) According to N.J.S.A. 2C:25-14(g) once the victim files for a temporary restraining order in the county where the cause of action arose, and the temporary restraining order is issued, the matter is then referred for a final hearing to the court in the victim's vicinage. Nowhere in the Prevention of Domestic Violence Act is the term "vicinage" defined. It is the recommendation of this Subcommittee that "vicinage" be used synonymously with the "residence" of the victim. It is also recommended that the Family Practice Committee, Domestic Violence Subcommittee, address this apparent ambiguity between the operation of R. 4:3-2 and N.J.S.A. 2C:25-14 (g) in the comments to the Rule. In this manner, use of the term "vicinage" can be equated with the "residence" of the victim. Additionally, residence will include the county to which the victim removes herself after the incident, as opposed to her domicile.

(3) All temporary restraining orders requiring the defendant to be restrained from contact with the plaintiff victim should be enforceable in all municipalities throughout the State.



## 2. Duration of Restraining Orders

### a. Findings

In enacting the Prevention of Domestic Violence Act, it was the intent of the Legislature to offer victims of violence the maximum protection from abuse the law can provide. For that reason the law does not provide that the final restraining order contain a time limit as to its duration. Nevertheless, in some cases, the duration of the final restraining order has been limited to specific periods of time, thereby forcing the victim to reapply with evidence of a new incident once the old order expires in order to obtain continued protection.

### b. Recommendation

This Subcommittee recommends that once the victim proves her case at the hearing and the final order is issued, the order be of indefinite duration. The order should specifically read, for example, that "defendant is restrained from contact with plaintiff or from harassing plaintiff or her relatives in any way until further Order of the Court."

If the Court does issue a subsequent order, the most recent Order should read "This order supersedes prior order issued on     ( date )    ." This clause will enable the police to more easily determine which order, among many, is the one in effect at any give time.

All temporary restraining orders should be of no more than 10 days in duration, pursuant to N.J.S.A. 2C:25-14(c). However, when the defendant cannot be served, or if he requests a postponement at the time of the scheduled final hearing, the temporary order should continue until the final hearing is held.

### 3. Case Conference<sup>1</sup>

The addition of harassment to the Prevention of Domestic Violence Act, as well as the existing criminal mischief category, brought within the jurisdiction of the Family Part a large group of men and women who have not been physically abused. These individuals are often part of a relationship which is exhaustive and depleting. There is frequently ongoing abuse of alcohol or drugs, which may be symptomatic of the underlying problem. In the more extreme cases, these relationships may be pathological. Conducting a case conference may be especially appropriate in such cases, although this procedure should be made available to all domestic violence victims for utilization at their option.

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<sup>1</sup>This subsection embodies the position of a majority of the Working Group. A differing view point was posited by a minority of the Working Group.

Specifically, the following procedures could be employed. The case conference would be offered to all victims for their voluntary participation therein. It would be conducted after the filing of a complaint, before the court hearing, by a member of the Family Division Support Unit trained in such matters, and would be attended by the victim, by each party's attorney, and, if the victim so desires, also by the defendant. During the case conference, the Family Part staff member would advise the victim of the various statutory remedies available under the Prevention of Domestic Violence Act, to enable the victim to determine which of them he/she wishes to pursue. Details concerning the judicial relief to be sought would also be discussed, such as amount of support, custody arrangements, mandatory counseling for the defendant, etc. If the defendant is also attending the case conference, he/she would be informed of the specific remedies being sought by the victim, as well as of potential penalties for non-compliance with any ensuing judicial order. Finally, the victim would be advised of available community organizations, such as Legal Aid, shelters, etc.

At no time, should it be suggested that the case conference would eliminate the need for a court hearing.

On the contrary, the victim would be advised that any agreement resulting from a case conference would be placed on the record at the ensuing hearing, and, if adopted by the court, would be incorporated into the order. The defendant would be notified that the failure to uphold the court order could result in contempt of court proceedings or his arrest. Finally, and most significantly, no negotiations would be attempted or induced between the parties. Rather, the conference would be utilized as a means to convey information to the victim and to assist him or her in preparing for the court hearing. As a result, the victim would be better able to articulate his or her wishes concerning the outcome of the proceedings, as well as obtain vital information concerning available remedies.

#### 4. Service of Temporary Restraining Orders

The Sheriff's Office has the primary responsibility for the service of court orders and other judicial process. The primary performance of this function by the Sheriff's Office should not be supplanted. Nevertheless, under certain emergency circumstances during non-court hours, the statutory goals may be more effectively achieved if an alternative means of service of the temporary restraining orders upon defendants may also be sought. The emergency ex parte orders envisioned by N.J.S.A.

2C:25-13(c) may be entered at times when a Sheriff's officer is not as readily available as local or State law enforcement officials. In such circumstances, restricting

service of the orders to the Sheriff's Office would contravene the statutory goal of the "maximum protection from abuse the law can provide." N.J.S.A. 2C:25-2.

Moreover, the statute specifically proclaims that it is intended to remedy the system's inability to generate a prompt response in an emergency situation. Id.

Consequently, lest any delay in service of orders be occasioned during a crisis occurring outside of normal court hours, the assistance of police officers, either State or local, may be sought when service by Sheriff's officers is not feasible under the circumstances.

Moreover, emergency orders will frequently result from law enforcement action predicated upon a violent incident. The law enforcement officer may, therefore, be readily available during non-court hours, whereas, an off-duty Sheriff's officer may have to be specifically summoned. Finally, the law enforcement officer who has already responded to the scene of the domestic violence incident, may already be aware of the whereabouts of the defendant.

As a result, the assistance of local police/State police officers may need to be sought for the service of emergency domestic violence orders. Primary responsibility during normal court hours should, of course, remain with the Sheriff's Office. In any case, complaints and orders

should be expeditiously transmitted to whoever is to serve them, whether a Sheriff's officer or the local/State police, in order to ensure that defendants are immediately apprised of the existence of these documents.

#### 5. Enforcement of Domestic Violence Orders

The increase in the issuance of domestic violence orders by the municipal courts and the Family Part has resulted in a need to creatively utilize the various enforcement methods. The following enforcement alternatives may be appropriate:

- a. Charge the violator with a new criminal violation, including, but not limited to, criminal trespass, harassment or assault, willful non-support, interference with custody, etc. Bail should be set, with a condition thereof that the offender not return to the marital home or have any contact with the complainant. Higher than average bail should be sought for violations of either temporary or final restraining orders. In many communities, a problem arises with regard to police procedures. New criminal charges such as criminal trespassing, harassment, interference with custody, etc., generally result in a summons being issued for the appearance of the defendant in municipal court in lieu of bail being set. This is particularly true if the defendant is known to live in the municipality;

b. Serve both the alleged violator and the complainant personally with summonses to appear in the Family Part on the morning of the next court day for a hearing of enforcement of litigant's rights pursuant to R. 1:10-5. At the same time, the police officer should contact the intake officer on call in the county in order to give the court officer the name of the alleged violator and the complainant, so that the intake officer can prepare the file for the following day;

c. Filing of a criminal contempt charge. (N.J.S.A. 2C:29-9). A person is guilty of a crime of the fourth degree if he purposely or knowingly disobeys a judicial order or hinders, obstructs or impedes the effectuation of a judicial order or the exercise or jurisdiction over any person, thing or controversy by a court, administrative body or investigative unit. The filing of a contempt charge would follow the same procedure as described in the first alternative. In a criminal charge, bail should be set and restraints sought as a condition thereof. Whenever a criminal charge is the result of a violation of a temporary or a final order, a summons should not be issued to the defendant, even though he may be a local resident. Rather, the municipal court should be contacted for the purpose of setting bail;

d. Filing criminal contempt by the court itself for violation of its order; and,

e. Alternatives such as the posting of cash bonds, self-executing court orders, incarceration etc., could be utilized to deal with further non-compliance.

E. LEGISLATIVE RECOMMENDATIONS

1. A Proposal To Expand The Coverage Of The Prevention of Domestic Violence Act<sup>2</sup>

The Prevention of Domestic Violence Act extends protection to a class of persons known as "cohabitants." N.J.S.A. 2C:25-3(a). The definition of cohabitants includes adults of the opposite sex who either (1) reside together or (2) formerly resided together or (3) are the parents of a child. The definition also extends to adult blood relatives living together, regardless of their sex. Accordingly, the Act covers a diversity of people, including: married, divorced and separated couples; roommates and former roommates of the opposite sex, regardless of the nature of their relationship; adult children residing with elderly parents; an adult brother and sister sharing the same home; the parents of a child.

The coverage of the Act does not extend, however, to unrelated persons of the same sex sharing the same living

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<sup>2</sup>This subsection embodies the position of a majority of the Working Group. A differing view point was posited by a minority of the Working Group.



quarters. This category includes many different kinds of people, from college roommates sharing an apartment, to elderly friends living in a trailer, to male and female homosexuals, to two young businesspersons who jointly hold a mortgage on a house, etc.

Domestic violence surely does not respect the boundaries of the present definition of cohabitants. Violence can occur regardless of whether the individuals happen to be married, or parents, or related to each other. As the Act is presently structured, however, law enforcement has no answer for the victim who happens to be of the same gender as his or her attacker, unless these persons are blood relatives. There is no good reason to deprive the old lady living in the trailer of protection from her assaultive companion, just because her companion is female rather than male. Indeed, equal protection of the law would seem to demand such coverage.

Some may argue, however, that it is inappropriate to permit the Act to apply to homosexuals. There are many good reasons to reject such an argument.

First, as the police are well aware, homosexual relationships can spawn deadly violence. The Prevention of Domestic Violence Act should acknowledge the potential for such violence, and the threat such violence poses not only to the parties involved, but to the responding officer, as well.

Second, the criminal laws of New Jersey are entirely gender-neutral. That is, there are no crimes, including sexual offenses, which precondition prosecution on the gender of the victim or the defendant. The Prevention of Domestic Violence Act, although it provides an essentially civil remedy, is closely associated in with criminal law and the criminal justice system. The legislature has taken pains in the Code of Criminal Justice to ensure equal access for all victims to the criminal courts; why should the legislature deny access to civil relief for certain classes of domestic violence victims?

Third, from the present coverage of "cohabitants," it is clear that the Legislature was willing to take a practical rather than a moralistic view of the domestic violence problem. Coverage was not limited to married couples, but was extended to cover a variety of relationships between men and women, recognizing that neither families nor family fights are necessarily structured along traditional lines. The same practical view is urged for same-sex violence. Violence is violence. Couples need not be practicing heterosexuals — or involved with each other sexually at all — to indulge in violence. In other words, how can a piece of legislation be defended which provides a remedy exclusively for persons deemed presumptively heterosexual? Nowhere else in civil or criminal law is a person's sexual preference relevant, much less a prerequisite for protection against victimization.

Fourth, as detailed above, the failure to include ~~same-sex~~ couples under the Act affects not only homosexuals, but many persons who, for any number of reasons, find themselves living with a person of the same sex.

Fifth, the Act, as it stands, denies equal protection of the law. "To withstand scrutiny under the Equal Protection Clause, classifications by gender must serve important governmental objectives and must be substantially related to achievement of those objectives." Orr v. Orr, 440 U.S. 268, 279, 99 S.Ct. 1102, 1111, 59 L.Ed. 2d 306 (1979) [citations omitted]. The stated purpose of the Prevention of Domestic Violence Act is to protect "persons" who suffer abuse at the hands of "their spouses or cohabitants," and "to assure the victims of domestic violence the maximum protection from abuse the law can provide." N.J.S.A. 2C:25-2. Given the goal of the legislation, it is difficult to discern any governmental objective which is served by excluding a particular class of victims based solely on the gender of their attackers.

The Subcommittee therefore recommends that the coverage of the Prevention of Domestic Violence Act be amended to include persons assaulted by any individuals with whom they reside, regardless of the gender of the parties.

F. CONCLUSION

Domestic Violence tears at the very fabric of our society. Prior to the initial steps taken by our Legislature in the enactment of the Prevention of Domestic Violence Act, these victims were truly a forgotten minority within the entire justice system. It is absolutely imperative that the system respond to domestic violence matters with promptness and sensitivity. With experience, improvements upon the legislative scheme have become evident. However, much remains to be done. In offering them proposals, the Subcommittee solicits both the cooperation and the assistance of all interested parties.

### III. REPORTING SUBCOMMITTEE

#### A. INTRODUCTION

Section 8 of the Prevention of Domestic Violence Act mandates that the information necessary to provide a clearer picture of the root causes of violence in the home be gathered. In this regard the Act provides for the Bureau of Records and Identification of the Division of State Police to serve as the central repository for these reports.

The Reporting Subcommittee examined the effectiveness of the current reporting system and in its analysis of the system has provided recommendations for improvements. More specifically, the Subcommittee examined the following three areas of reporting practices:

1. The introduction and instructions for the preparation of the revised Domestic Violence Offense Report;
2. Recommendation and guidelines for the completion of Departmental Investigation/Incident Reports in conjunction with the Domestic Violence Report; and,
3. Recommendation and instructions for the use of the Domestic Violence Master Name Index Card or its equivalent.

#### B. UNIFORM CRIME REPORT, DOMESTIC VIOLENCE OFFENSE REPORT

The Uniform Crime Report, Domestic Violence Offense Report [hereinafter, UCR DV] was initially designed to be used statewide as the form for reporting incidences of domestic violence. The categories included on this form solicites the following information:

1. The relationship of the parties;
2. The sex of the parties;

3. The time and date of the incident;
4. The number of domestic violence calls investigated;
5. Whether children were involved, or whether the alleged act of domestic violence had been committed in the presence of children;
6. The type and extent of abuse;
7. The number and type of weapons involved;
8. The action taken by the law enforcement officer;
9. The existence of any prior court orders; and,
10. Any other data that may be necessary for a complete analysis of all circumstance leading to the alleged incident of domestic violence.

Although this procedure of offense recording is not sufficient for the purpose of court proceedings, it is however, satisfactory for statistical purposes.

Following a 12 month period of collecting the above data it was determined, that although these forms obtained statewide statistics, it neglected to obtain specific information that would assist governmental agencies in targeting specific areas. These areas include: Substance Abuse, Total Time Spent, Elderly Abuse, and Homicide. Effective July 1, 1984 additional data will be included on the revised UCR DWI (REV. 84) forms. Listed below are explanations of the needs for these changes:

1. Substance Abuse

One area of great concern among domestic violence support services is the issue of substance abuse. Various organizations cite that alcohol abuse is a factor in 40% to

80% of domestic violence incidents. Due to this disparity in figures, and the fact that there is no data on the relationship of drugs to domestic violence, it would be helpful to these agencies to accurately assess the relationship of substance abuse to domestic violence and assist in the development of appropriate programs to deal with these combined problems. The new DVI forms requires this information in block 7 "Alcohol Involved," and in block 8, "Other Drugs Involved." If both blocks 7 and 8 are checked by the officer, the computer is programmed to indicate "both" rather than each individual factor. This programming will eliminate the possibility of a double counted offense where both substances are used;

## 2. Total Time Spent

The Prevention of Domestic Violence Act allows for "possible" crisis intervention teams to be developed to respond to domestic violence calls. The Act, however, provides no financial allocation for the maintenance of these teams. To date, those police departments interested in organizing crisis teams, have had to seek alternate means of funding through grants from private industry. To substantiate the need for these services, most departments have had to manually review their investigation reports to account for the amount of time expended by their officers on domestic violence calls. The inclusion of this information is recorded in block 12, "Total Time Spent;"

### 3. Elderly Abuse

The present DVI form does not provide information regarding elderly abuse. The State currently offers no programs targetting this population in the area of domestic violence. Recognizing the necessity to obtain this information; age and sex categories are included on the revised DVI form (See block 14, "Victim's Age" and block 15, "Victim's Sex");

### 4. Homicide

Domestic violence legislation specifically provided for the inclusion of the existing ten offenses. Although homicide was not included as a Domestic Violence Offense in 1983, 57 domestic violence related murders were identified through the State Uniform Crime Reporting Program. The category for homicide is necessary and is now included on the revised DVI form in block 19, "Domestic Violence Offenses: 1. Homicide."

## C. DOMESTIC VIOLENCE OFFENSE REPORT INSTRUCTIONS

### 1. Purpose of the Report

The Domestic Violence Offense Report shall be used to report any of the 11 listed acts of domestic violence which occurs between adults (18 or older), of the opposite sex, who reside together or have resided together, regardless of their marital status. This includes parents of one or more children regardless of whether they have ever lived together. This also



includes other adult blood relatives who currently are residing in the same living quarters. Child abuse complaints are not to be reported on this form. The acts of domestic violence as they are numbered on the form are:

- |                       |                            |
|-----------------------|----------------------------|
| 1. Homicide           | 7. Criminal Sexual Contact |
| 2. Assault            | 8. Lewdness                |
| 3. Kidnapping         | 9. Criminal Mischief       |
| 4. Criminal Restraint | 10. Burglary               |
| 5. False Imprisonment | 11. Harassment             |
| 6. Sexual Assault     |                            |

It shall be the responsibility of a law enforcement officer who responds to a domestic violence call to complete this report.

## 2. Mechanics

### a. Routing

(1) Original and First Copy	New Jersey State Police Uniform Crime Reporting Unit Box 7068, River Road West Trenton, N.J. 08625
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(2) Second Copy	Contributor's Copy
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### b. Reports will be submitted immediately upon completion.

DO NOT wait for the end of the month to forward the forms. DO NOT submit copies of court orders or other documents with the Domestic Violence Offense Report.

### c. Instructions For Preparation of the Domestic Violence Offense Report. (This Report shall be completed with a ball point pen, block printed, or typed.)

- (1) CASE # - enter investigation report number; if none, enter operations report number or other available identifying number;
- (2) MUNICIPALITY- enter name of municipality where offense occurred;
- (3) MUNICIPALITY CODE- enter four digit municipality identifier code;
- (4) SP STATION - enter State Police station reporting offense (for State Police use only);
- (5) SP STATION CODE—enter State Police station code number (for State Police use only);
- (6) OFFENDER- check appropriate block for the sex of the offender;
- (7) ALCOHOL INVOLVED - check appropriate block to indicate whether the victim or the offender is suspected to have been drinking;
- (8) OTHER DRUGS INVOLVED - check appropriate block to indicate whether the victim or the offender were using drugs other than alcohol;
- (9) DATE - enter date of offense. (Example - 1/7/84);
- (10) DAY CODE - enter appropriate Code:

Codes

1 Sunday	4 Wednesday
2 Monday	5 Thursday
3 Tuesday	6 Friday
7 Saturday	

(11) TIME - enter time of offense - do not use military time

Example - 9:00      X   A.M.

           P.M.

(12) TOTAL TIME SPENT - enter the total time spent on this investigation;

(13) VICTIM'S NAME - enter full name of victim (first, middle and last name)

Note: One report will be completed for each victim;

(14) VICTIM'S AGE - enter age of victim;

(15) VICTIM'S SEX - check appropriate block for the sex of the victim;

(16) BLANK;

(17) BLANK;

(18) BLANK;

(19) CURRENT OFFENSE/COMPLAINT- check appropriate block with regard to current offense. If more than one offense occurred (multiple offenses), check only one. Check the first offense only, by going down the list from 1 to 11;

(20) RELATIONSHIP OF VICTIM TO OFFENDER - check appropriate block;

(21), (22) and (23).

TYPE OF ABUSE BY WEAPON AND EXTENT OF INJURY

Locate weapon used, then check appropriate block on horizontal line indicating extent of abuse/injury;

Example - Aggravated/Serious - is when injury is sufficient to cause broken bones, internal injuries or when stitches are required.

Non-aggravated/Minor - includes any lesser injury. Check only one weapon, by going down the list from 1 to 5;

(24) CHILDREN WERE INVOLVED, PRESENT OR N/A - check one block only;

(25) ACTION TAKEN: ARRESTED, "YES" OR "NO" - check appropriate block;

(26) PRIOR COURT ORDERS - Check appropriate block.

Indicate whether there was ever a Domestic Violence court order issued against the accused/offender;

(27) REMARKS (optional) - enter additional information as needed;

(28) RANK/NAME - enter rank and name of investigating officer with signature;

(29) BADGE NUMBER - enter badge number of officer completing report;

(30) DATE COMPLETED - enter date report is completed;

(31) REVIEWED BY - enter initials and badge number of immediate supervisor who reviewed and approved the report;

(32) BLANK;

(33) BLANK;

(34) BLANK.

# STATE OF NEW JERSEY, DEPARTMENT OF LAW AND PUBLIC SAFETY

## DOMESTIC VIOLENCE OFFENSE REPORT

CASE #

(2) MUNICIPALITY	(3) MUN CODE #	(4) SP STATION	(5) CODE	(6) OFFENDER (✓) MALE <input type="checkbox"/> FEMALE <input type="checkbox"/>	(7) ALCOHOL (✓) INVOLVED YES <input type="checkbox"/> NO <input type="checkbox"/>	(8) OTHER DRUGS INVOLVED (✓) YES <input type="checkbox"/> NO <input type="checkbox"/>
(9) DATE OF OFFENSE	(10) CODE DAY	(11) TIME (✓) <input type="checkbox"/> a.m. <input type="checkbox"/> p.m.		(12) TOTAL TIME SPENT _____ Hrs _____ Min		
(13) VICTIM'S NAME				(14) VICTIM'S AGE	(15) VICTIM'S SEX (✓) MALE <input type="checkbox"/> FEMALE <input type="checkbox"/>	
(16)		(17)		(18)		

(19) DOMESTIC VIOLENCE OFFENSES	CURRENT OFFENSE COMPLAINT (✓)
1 HOMICIDE	
2 ASSAULT	
3 KIDNAPPING	
4 CRIMINAL RESTRAINT	
5 FALSE IMPRISONMENT	
6 SEXUAL ASSAULT	
7 CRIMINAL SEXUAL CONTACT	
8 LEWDNESS	
9 CRIMINAL MISCHIEF	
10 BURGLARY	
11 HARASSMENT	

(20) RELATIONSHIP VICTIM TO OFFENDER (✓)	
1 VICTIM IS THE HUSBAND	
2 VICTIM IS THE WIFE	
3 VICTIM IS A MALE-RELATIVE	
4 VICTIM IS A FEMALE-RELATIVE	
5 VICTIM IS A MALE-FRIEND	
6 VICTIM IS A FEMALE-FRIEND	

(24) CHILDREN WERE (✓)	
1 INVOLVED	
2 PRESENT	
3 N/A	

(21) TYPE AND ABUSE BY WEAPON (✓) AND EXTENT OF INJURY			
WEAPON	AGGRAVATED SERIOUS	NON AGGRAVATED MINOR	NONE
1 GUN			
2 KNIFE			
OTHER			
3 DANGEROUS			
HANDS			
4 FISTS ETC.			
5 NONE			

(25) ACTION TAKEN-ARRESTED (✓)	YES <input type="checkbox"/> NO <input type="checkbox"/>
--------------------------------	--

(26) PRIOR COURT ORDERS (✓)	YES <input type="checkbox"/> NO <input type="checkbox"/>
-----------------------------	--

(27) REMARKS (OPTIONAL)

(28) RANK NAME	(29) BADGE #	(30) DATE COMPLETED	(31) REVIEWED BY
----------------	--------------	---------------------	------------------

(32)	(33)	(34)	
------	------	------	--

D. RECOMMENDATIONS

The Reporting Subcommittee recommends that any police officer responding to a domestic violence call complete an Investigation Report, in addition to the Domestic Violence Offense Report. The Investigation Report will provide a permanent record for police agencies, prosecutors and courts.

The completed Investigation and Domestic Violence Reports should have the same case/incident number and be filed together for future reference.

1. Repeat Calls

This Subcommittee also recommends that information regarding the number of calls to the same household be tabulated through the DVI forms. The DVI form was developed in a check-off format with the intention of obtaining maximum data with the least amount of effort by the police officer. Therefore, obtaining this information would require the inclusion of an additional series of blocks to obtain this data. (i.e., 1st offense, 2nd offense, 3rd offense, etc).

Therefore, any attempt to capture this information on the DVI form may impede promoting its use. The practical problems in obtaining accurate data could result from confusion of police officers in determining what constitutes a repeat call, such as:

- a. What time frame constitutes a repeat call?
- b. Must a repeat call be for the same offense?
- c. Must a repeat call be for the same victim or abuser?

- d. If an officer responds to domestic violence where child abuse has occurred in the past, is this a repeat call?
- e. Must the same officer respond to the same scene to have it categorized as a repeat call? If not, how will this officer know how many times the department has responded?

2. Domestic Violence- Master Name Index Card

Recognizing the need for obtaining repeat call information, the Reporting Subcommittee recommends the use of the Domestic Violence - Master Name Index Card [hereinafter, DVMI card]. The DVMI Card shall be completed on all individuals who come in contact with the police department resulting from domestic violence offenses. The DVMI Card itself will measure 4" X 6", and should be filed and maintained in each police department and be updated by either the dispatcher or the records bureau. (It has been determined that these are the two locations where this information could be maintained accurately.)

a. Instructions for Preparation of the DVMI Card:

- (1) LAST NAME        FIRST        MIDDLE;  
Example - Jones        John        James
- (2) ADDRESS - Subject's home address and municipality;
- (3) PHONE NO. - Subject's home telephone number where he can reached;
- (4) AGE - Insert number;

- (5) SEX - Self-explanatory;
- (6) RACE -(e.g., Cau. - Hisp. - Blk -Etc);
- (7) DOB - Date of Birth;
- (8) PLACE OF BIRTH Enter City and State or Country if other than the United States;
- (9) OCCUPATION -(e.g., Truck Driver, Doctor, Plumber, Etc);
- (10) PHOTO - Check if photo is available;
- (11) A.K.A. - Also Known As, (e.g., "Shorty", "Razor", or any other aliases);
- (12) EMPLOYER AND ADDRESS - where does subject work and what is the address;
- (13) CHANGE ADDRESS - DATE - Insert most current address available and date of changes;
- (14) D.V. OFFENSE - Insert the type of domestic violence offense such as: Homicide, Assault, Kidnapping, Criminal Restraint, False Imprisonment, Sexual Assault, Criminal Sexual Contact, Lewdness, Criminal Mischief, Burglary or Harassment;
- (15) CODE - Insert letter of Code which is applicable: (A) Arrest, (V) Victim, (PRO) Permanent Restraining Order, (O) Offender, or (TRO) Temporary Restraining Order;



- (16) DATE - When did incident take place;
- (17) COMPLAINT NO. - Number of CD-1 Card, if applicable;
- (18) CASE NUMBER - Insert investigation number;
- (19) IDENTIFICATION BLOCKS - When applicable, subjects assigned numbers will be inserted in the appropriate space in upper right corner of the DVM1 Card.

Example -

I.D. No. - Identification Number;  
SBI No. - State Bureau of Identification Number; and,  
SS No. - Social Security Number.

# DOMESTIC VIOLENCE

LAST NAME		FIRST		MIDDLE		I.D. NO.	
ADDRESS						SBI NO.	
PHONE NO.		AGE	SEX	RACE	DOB	SS NO.	
OCCUPATION			PLACE OF BIRTH			PHOTO <input type="checkbox"/> YES <input type="checkbox"/> NO WEAPONS <input type="checkbox"/> YES <input type="checkbox"/> NO	
A.K.A.							
EMPLOYER AND ADDRESS							
CHANGE ADDRESS						DATE	
D.V. OFFENSE		CODE	DATE	COMPLAINT NO.	CASE NUMBER		

(A) ARREST

(TRO) TEMP. RESTRAINING ORDER

CODE IDENTIFICATION

(PRO) PERM. RESTRAINING ORDER

(O) OFFENDER

(V) VICTIM

[illegible]

#### E. CONCLUSION

In order to ensure the successful implementation of the aforementioned recommendations, the Reporting Subcommittee of the Working Group on the Enforcement of the Prevention of the Domestic Violence Act identifies the need for the following support:

1. All law enforcement recruits must receive training regarding the preparation of the Uniform Crime Report DWI form combined with investigation/incident reports;
2. The Division of State Police Uniform Crime Report Unit should continue to collect and monitor the Domestic Violence Reports to insure compliance with the Prevention of Domestic Violence Act;
3. All County Prosecutors should:
  - a. Recommend the use of the Uniform Crime Report DWI forms along with investigation/incident report forms;
  - b. Encourage and support local police in-service training programs regarding both the mechanics of preparing the required Domestic Violence reporting forms as well as training on the law itself; and,
  - c. Recommend the use of the Domestic Violence - Master Name Index Card system.

Accordingly, it is felt that the successful implementation of this revised reporting system could lead to several positive results. The constant maintenance of the recommended filing system

will enable each police department to easily retrieve any record of prior offenses and incident reports which could be necessary for judicial proceedings. More importantly, it has long been recognized that more police officers sustain injuries in response to domestic dispute calls than to any other type of response. Enabling a dispatcher to provide a responding police officer with this additional information could prevent that officer from becoming another "Police Officer Killed and Assaulted," and could ensure the successful disposition of the call.

#### IV. TRAINING SUBCOMMITTEE

##### A. INTRODUCTION

The Training Subcommittee was assigned the responsibility to review all existing available training related to domestic violence. Based on its review, the Subcommittee was to offer recommendations for revisions to any existing training and to propose new training programs if necessary.

The Training Subcommittee was comprised of representatives from the Administrative Office of the Courts (AOC), the Division of Criminal Justice, the Division of General Education of the Department of Education, the Division on Women of the Department of Community Affairs, the Legal Aid Society of Mercer County, the New Jersey State Policemen's Benevolent Association, the Police Training Commission, and the Women's Rights Section of the New Jersey State Bar Association.

In its analysis of the existing training and its recommendations, the Subcommittee categorized training into three general areas. Those areas are: Police Training; Court and Support Services Training; and, Public Education. Prior to examining training in this manner, the Subcommittee would like to acknowledge that the Division on Women, in conjunction with the Division of Criminal Justice and the County Prosecutors, sponsored nine regional training seminars intended as an orientation to staff officers from most local police departments with respect to the recent revisions to the Prevention of Domestic Violence Act. Although these seminars successfully accomplished the intended short term training

objective, it is the concern of this Subcommittee to focus on long term continuing training programs.

Additionally, training endeavors by the AOC for the judiciary should also be recognized. Although several judicial conferences concerning domestic violence have been provided by the AOC to both upper court and municipal court judges, training for newly appointed judges is needed and will be discussed further below.

## B. POLICE TRAINING

### 1. Entry Level

Entry-level training as mandated by the Police Training Commission includes specific training for handling domestic dispute cases. This training stresses the enforcement of the Act in situations where violations have occurred. It is important that this curriculum continue to be taught in all Basic Police courses. Further, the training should continue to include the appropriate application of crisis techniques and the use of referrals. (See Appendix F for listing of course material).

### 2. In-Service Training

In-service training is probably the most critical concern of the Training Subcommittee. The initial efforts by the Division on Women in sponsoring nine regional training seminars must be continued at the local level. It is important that line officers receive the information provided at the nine regional courses. The most effective method would be to conduct annual formal in-service training programs on a local or regional basis. The Training Subcommittee recognizes that this may not

be possible in all cases but recommends consideration of alternatives such as roll call training and training bulletins. (See Appendix G for model lesson plan). Inherent in this recommendation is a need to evaluate the results of the initial efforts by the Division on Women to determine the following information:

- a. Which departments are actively training officers;
- b. What does that training consist of in terms of time commitments, resource materials used, etc.;
- c. Which departments have implemented standard operating procedures; and,
- d. What are the problems officers are faced with concerning enforcement of the Act.

### 3. Supervisory Training

Supervisory training should be provided to appropriate line supervisors so that they are aware of the new provisions contained in the Prevention of Domestic Violence Act and the resources available to assist local police departments in providing services to domestic violence victims. (See Appendix H for referral agencies).

### C. COURT AND SUPPORT SERVICES TRAINING

To date, several training courses have been provided by the Administrative Office of the Courts for both municipal and upper court-level judges regarding the domestic violence area. For instance, a full day (afternoon and evening) training session was conducted for judges in April 1983. Additionally, the orientation session for new municipal court judges, held in



March 1984, as well as judicial conferences for such judges, have included domestic violence on the agenda. However, ongoing state-wide training, both in procedural and substantive areas, is needed. The underlying purpose of this training would be to promote greater understanding of the Prevention of Domestic Violence Act, and to standardize the procedures utilized by court personnel in the preparation and processing of complaints under the Act. In addition to detailing substantive and procedural matters, the psychological aspects of this highly emotional area would also be explored.

Finally, a manual is needed in order to synthesize the applicable statutes and court rules and to outline procedures for utilization in domestic violence cases.

1. Training Course--Family Part Judges and Court Personnel

Training courses regarding domestic violence should be incorporated into the continuing educational programs for Family Part judges and court personnel. The Family Part judges and key court personnel, such as case managers and the member(s) of the Family Part Support Unit with direct supervisory responsibility over domestic violence matters would be invited to attend. A team approach should be utilized in order to encourage valuable communication between the judges and the court personnel and to promote a uniform approach, both as to substantive and procedural matters regarding this area.

A general session should be held to provide a broad overview of the purposes and goals of the Prevention of Domestic Violence Act. Following the general session, various types of workshops

should be offered, including a session geared to court personnel in order to define and explore their support functions in effectuating the purposes of the Act. Because of the relatively recent enactment of the statute, the handling and processing of domestic violence cases should be emphasized, including the applicability of the Act to all victims meeting the statutory criteria.

Of course, adherence to Court Rules and detection of repetitive violent offenders should be a primary focus in all three sessions. Additionally, in recognition of the acute personal crisis entailed in domestic violence cases, all attendees should be made aware of the potential trauma of the complainant.

## 2. Training Course—Municipal Court Judges

A similar presentation format should be utilized for municipal court judges as that employed for the Family Part judges. The course should also stress the judges' role in ruling on emergency temporary restraining order applications during non-court hours and the necessity for their availability during these time periods. Practical and procedural matters should also be covered, such as the appropriate filing locales of the temporary restraining order applications, the processing of such cases, and the municipal courts' interaction with the Family Part. The training session could be incorporated into the program of the Annual Conference for Municipal Court Judges which is conducted on a state-wide basis.

### 3. Manual

A manual on domestic violence of utility to prosecutors, the judiciary/court personnel or the legal community does not currently exist. Such a manual should have a section specifically geared to all of these groups. With respect to the judiciary, in light of the assignment of several judges to the Family Part who have heretofore not heard domestic violence matters, as well as the existing and anticipated appointment of new judges to the Family Part and to the municipal court, such a manual would serve as a valuable introduction to the domestic violence area. Additionally, such a manual would assist the members of the judiciary by setting forth the existing legislation on this topic. In order to promote state-wide uniformity in the processing of domestic violence cases, various procedural guidelines for court personnel would be detailed, especially as relating to the filing, docketing and reporting of domestic violence cases. Copies of the Prevention of Domestic Violence Act, as well as the various forms whose compilation are required by the Administrative Office of the Courts would be appended. Finally, a list of programs available for victims and batterers should be set forth in an appendix to the manual. For maximum utility, such a manual and its appendices should be revised periodically.

#### D. PUBLIC EDUCATION—FAMILY LIFE EDUCATION

The New Jersey State Board of Education in 1980 mandated that Family Life Education be taught in every public school system in New Jersey. Family Life Education has been fully implemented

since September 1983. The four major areas of concentration in the curriculum are: interpersonal relationships; foundations of human growth and development; responsible personal behavior; and, establishment of strong family life. Specifically, the "Family Life Education Curriculum Guidelines" recommend that areas related to domestic violence be taught in grades 4-6 in the unit on the family. In grades 7-9, domestic violence is addressed directly and in grades 10-12, the discussions on domestic violence are more intense.

New Jersey's Family Life Education curriculum is the most comprehensive program of its kind in the nation which provides an opportunity to address familial difficulties in an organized manner with parental input and support. Since this legislation has only been recently enacted, the Department of Education would not recommend any changes in the curriculum at this time. (Copies of the curriculum guidelines can be obtained from the Department of Education.)

E. OTHER AREAS OF CONCERN

1. In addition to the specific public agencies identified above, the public-at-large needs to become more aware of its role in preventing domestic violence together with the aid of the State Bar Association, private interest groups, parent/teachers associations and other similar groups. One recommendation in this area is for an expansion of the media campaigns initiated by the Division on Women to involve the participation of all public and private agencies and organizations. The Family Violence Posters, currently being displayed in police stations, public offices and supermarkets should be

distributed to schools, hospitals, doctor's offices and other appropriate places. The Family Violence Bumper Stickers, displayed on many police patrol vehicles, have also had a great impact on assisting the victims of domestic violence. The use of these bumper stickers, particularly on police patrol vehicles, aside from providing a toll-free hotline number to call for aid, also makes a statement that the law enforcement community is dedicated to dealing more effectively with this issue. It is therefore, recommended that all public agencies promote the use of these stickers.

2. The Training Subcommittee also recommends the establishment, maintenance and support of county working groups on the enforcement of the Prevention of Domestic Violence Act to create an on-going forum to address these issues. It is suggested that these groups be comprised of representatives of the following offices and/or agencies:

Prosecutor's Office	County School Board
Judiciary	County Bar Association
Probation	Municipal and County Police
Battered Women's Shelter	Welfare Board
Domestic Violence Support Services	Legal Services

These groups should provide information and direction to training officers, departments and/or academies to facilitate on-going domestic violence training. These groups are encouraged to advise governmental agencies of additional services, funding, and other initiatives necessary to address this problem more adequately in their area.

These groups will be better able to identify system dysfunctions and make recommendations concerning policy and procedure to afford maximum protection to the victim.

3. The Training Subcommittee also recognizes the need for training of emergency medical personnel to identify battered women and provide referral information. It therefore supports the Division on Women's plans to provide this training and encourages all agencies to support these efforts. Furthermore, it is recommended that community outreach efforts of the Coalition for Battered Women and local domestic violence programs, be encouraged and supported.

F. CONCLUSION

The Training Subcommittee believes that the implementation of the above recommendations will enhance the judiciary and law enforcement community's ability to deal with the problems of domestic violence in the State. Specifically, the training and cooperative efforts identified in this Report should improve the handling of domestic violence cases by law enforcement officers and ensure prompt and efficient court and support services to victims of domestic violence. Moreover, the Subcommittee feels that the establishment of county working groups is a priority that will further enhance the potential for implementing all the recommendations contained in the Training Subcommittee's Report as well as those recommendations set forth in the other sections of this Report.

## V. CONCLUSION

Although the Working Group considers its efforts to have been successful, it feels that this Report is only one more step toward obtaining uniform, effective and appropriate implementation of the Prevention of Domestic Violence Act.

As indicated above, the Working Group's objectives were to assess the current status of the enforcement of the Act, identify any shortcomings and provide recommendations for improvement. This Report represents the accomplishments of the Working Group toward meeting those objectives. Nevertheless, the Working Group's efforts should not be considered to have resolved the issues which were identified. In this regard, the Working Group encourages law enforcement, the judiciary and appropriate community service groups to carefully consider its recommendations as set forth in the Report.

The future success of the Prevention of the Domestic Violence Act with assisting law enforcement, the courts, service providers, and most importantly the battered victims in preventing continued violent behavior within a domestic context, is largely dependent upon the continued efforts and cooperation of all segments of the community. It is for this reason that the Report of the Working Group on the Enforcement of the Prevention of Domestic Violence Act will be widely distributed for review and reference.

APPENDIX A

**New Jersey State Library**



APPENDIX A <sup>3</sup>

BERGENFIELD POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

DOMESTIC VIOLENCE ACT 2C:25-1

A. DEFINITION - Domestic Violence means the occurrence of one or more of the following acts between cohabitants:

1. Homicide	2C:11-1
2. Assault	2C:12-1
3. Kidnapping	2C:13-1
4. Criminal Restraint	2C:13-2
5. False Imprisonment	2C:13-3
6. Sexual Assault	2C:14-2
7. Criminal Sexual Contact	2C:14-3
8. Lewdness	2C:14-4
9. Criminal Mischief	2C:17-3
10. Burglary	2C:18-2
11. Harrassment	2C:33-4

COHABITANTS means emancipated minors or persons 18 years of age or older of the opposite sex who have resided together or who currently are residing in the same living quarters or persons who

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<sup>3</sup>These Appendices merely represent examples of SOP'S, and as noted in the text no one model is specifically recommended by the Subcommittee. Rather, all of the Appendices should be deemed exemplary in nature and, of course, their use is subject to any existing or future Supreme Court guidelines or directives.

together are the parent's of one or more children, regardless of their marital status or whether they have lived together at any time, or persons 18 years of age or older who are related by blood and who currently are residing in the same living quarters. This definition does not cover:

1. Homosexual relationships, unless a blood relationship exists which is a second cousin or closer;
2. Parental violence against children;
3. Child violence against parents;
4. Distant relatives - 3rd cousins, cousins twice removed, etc.

B. STATUTORY OBLIGATION - Police Officers must respond without delay and investigate all Domestic Dispute incidents paying particular attention to Domestic Violence as defined under the law:

1. Enforce the law through arrest when sufficient probable cause is present to make such an arrest. Officers should not avoid arrest and direct the victim into the Domestic Violence Complaint Process;
2. Determine if either party needs medical assistance;
3. The Officer shall read and disseminate to the victim or victims the rights granted them under the Act;
4. Conduct a preliminary investigation that shall include:
  - a. Interviewing separately the Disputants (if Probable Cause for arrest is present, give the Miranda Warning);
  - b. Interviewing witnesses;
  - c. Collecting any physical evidence;
  - d. Photograph physical injuries;
5. Advise victims or disputants of the availability of

- community services. You should encourage disputants to seek counseling and assistance prior to violent behavior;
6. Complete State of New Jersey Domestic Violence Offense Report;
  7. Assist the victim in filing a complaint against the actor.

C. DOMESTIC VIOLENCE COMPLAINT PROCESS -

1. Between 0900 and 1630 Monday thru Friday:
  - a. The victim must file the complaint with the Clerk of the Juvenile and Domestic Relations Court (now Family Part) at the Bergen County Courthouse in Hackensack (646-2108);
  - b. If the victim has no means of transportation to the Courthouse, the Police should see to it that such transportation is provided:
    1. Public Transportation;
    2. Community Resources;
    3. Police Officer;
2. Between 1630 and 0900 Monday thru Friday and weekends and holidays, when the Hackensack Courts are closed:
  - a. Transport victim to Police Headquarters.
  - b. Have the victim complete a handwritten statement that provide the facts of the incident;
  - c. The Officer will complete the Domestic Violence Complaint form. Both victim and Officer must sign complaint;
  - d. Contact the Municipal Judge and in his absence, use attached list of Municipal Judges and in their absence, call the Bergen County Sheriff's Office for the home number number of the Superior Court Judge who is on

call. The Judge has the option to come to Police Headquarters or to process the Complaint on the telephone. The Officer will read the statement and the Complaint to the Judge. He will also relay the results of his investigation;

- e. The Judge will rule based on the information and may issue a verbal order issuing a Temporary Restraining Order. The Judge's ruling shall be recorded in the Officer's Internal Domestic Dispute Report;
- f. The Police will then issue a copy of the Temporary Restraining Order to the Defendant, if he or she can be found. A copy of the T.R.O. should also be given to the victim. The Police should remain at the residence until the Defendant has vacated the residence. Any violation of the T.R.O. is grounds for arrest for Contempt: 2C:29-9 or under the Act itself: 2C:25-5. The Sheriff's Office should be notified that the T.R.O. has been serviced and that a copy of the Order will be mailed to their office on the next business day;
- g. When the residence in question has been vacated by the Defendant and has been determined safe for the victim, the Police Officer may then transport the victim back to the residence;

h. Copies of the Statement, Complaint and T.R.O. must be kept on file in the Record Bureau and the original forms should be transferred to the Municipal Court Clerk for signature and processing on the next business day.

D. RECORDS AND REPORTS -

1. The Internal Domestic Dispute Report will be submitted every time Officers are assigned to any type of domestic dispute.
2. The State of New Jersey Domestic Violence Offense Report and The Internal Domestic Dispute Report will be submitted for every Domestic Violence call that an Officer is assigned.
3. Reports will be submitted for each time Officers respond to such calls.
4. An alphabetical file (victim's name) will be maintained in the Records Bureau. File will contain:
  - a. Internal Domestic Dispute Report;
  - b. New Jersey Domestic Violence Report;
  - c. Domestic Violence Complaint Form;
  - d. Temporary Restraining Order Form;
  - e. Statements, and;
  - f. Evidence - Photographs of injuries.
5. The Records Bureau will maintain accessible files for personnel to use as reference in response to Domestic Violence calls. These files are "Confidential", for Police Department use only. All records maintained

pursuant to this Act shall be confidential and shall not be made available to any individual or institution, except by Court Order.

### SUPPLEMENTARY INFORMATION

Filing a Complaint pursuant to the Domestic Violence Act shall not prevent the filing of a Criminal Complaint for the same Act. The Court may order a Police Officer to accompany either party to the residence to supervise the removal of personal belongings. If a Domestic Violence Complaint is signed in our jurisdiction, all paperwork will be directed to our Municipal Court Clerk at the beginning of the next business day. After processing by the Court, it will be hand delivered to the Bergen County Domestic Relations Court (now Family Part) by the Police Department.

Once the assigned Officer is back in service, any further calls are considered a recurrence and a new Domestic Violence Offense Report and an Internal Report must be completed.

When the Complaint is handled by the Domestic Relations Court during the day, the victim will be instructed by the Judge to bring a copy of the Temporary Restraining Order to our Headquarters: the Sheriff's Office will take care of issuance to the Defendant. We will cooperate with the Sheriff's Office in finding the Defendant.

For the sake of expediency, the Police Department will issue to the Defendant a T.R.O. that originates in the Bergenfield Municipal Court. After service is completed, the Sheriff's Office will be notified of such service.

Blank file folders which contain all the necessary forms to complete a Domestic Violence Investigation are available in the Domestic Violence File in the Records Bureau.

COMMUNITY RESOURCES

A. Alternatives to Domestic Violence

355 Main street

Hackensack, New Jersey 07601

24 Hour Hot Line 487-8484

Services Include:

Individual, family and couple counseling;

Shelter Referral;

Legal Consultation;

Crisis Intervention (based on availability at the time);

Various Information and Referrals re: Community Services; and,

Transportation (based on availability).

B. SOS Shelter Our Sisters

24 Hour Hot Line 944-9600

Services are Limited to Women and Children, and Include:

Temporary Shelter;

Counseling; and,

Transportation (based on availability).

C. Bergen Regional Counseling Center

646-0333



The "Prevention of Domestic Violence Act" NJSA 2C:25-1 et seq. contains definitions, responsibility and authority that you must familiarize yourself with.

I. PURPOSE

A) Generally, the intent of the law is to:

- 1) Emphasize that the Officer is to enforce the laws allegedly violated and to protect the victim of Domestic Violence;
- 2) Communicate the attitude that violent behavior will not be tolerated and that existing criminal laws and civil remedies created under this law will be enforced despite the fact that the violence grew out of domestic situation;
- 3) Direct the victim to available community resources and encourage their use;
- 4) Compile data and statistics for a complete analysis by the State Police of all circumstances leading to an incident of Domestic Violence.

B) THE POLICY OF OUR DEPARTMENT IS TO:

- 1) Investigate all Domestic Dispute incidents, paying particular attention to Domestic Violence as defined under the law;
- 2) Document our actions in all situations, beyond the scope of the report required by the State;
- 3) Utilize available community service referrals whenever possible. (See Section VI)
  - a) To assist Domestic Violence victims.

- b) To encourage disputants in a domestic situation to seek counseling and assistance prior to violent behavior.
- 4) Assist the victim in filing a complaint against the actor.
- 5) Enforce the law through arrest when necessary.

## II. DOMESTIC DISPUTE INVESTIGATIONS

### A) INITIAL CONTACT

- 1) Incident card will be time-stamped.
- 2) Lines #7 and #14 will indicate "Domestic Dispute".
- 3) Lines #10, #12 and #13- attempt to obtain information on person calling.
- 4) Line #1, indicate Victim's name.
- 5) Line #16, indicate Actor's name.
- 6) Line #16, "See Report".

### B) CONTACT AT SCENE (Two Officers will respond).

- 1) Be alert for your safety and the safety of family members.
- 2) Divert the disputants' attention away from each other.
  - a) Introduce yourself - name and rank.
  - b) Explain that a call was received and that you are there to be of assistance.
- 3) Be neutral and respectful.
- 4) Restore calm.
  - a) If possible, separate the disputants into different rooms but avoid the kitchen.
- 5) Gather facts.

- a) Listen carefully to each person's story.
  - b) Remain non-judgemental.
  - c) Obtain data to determine possible course of action.
  - d) Use a Domestic Dispute investigation form as a fact collecting guide.
- 6) As soon as practical, at the scene, disseminate the "Rights of Domestic Violence Victims" to both parties involved, whether or not violence is apparent.
- 7) Determine if either party needs medical assistance.
- 8) Determine and take appropriate action.
- a) Referral to community resources.
  - b) Temporary settlement - mediation or legal action is not required or desired.
  - c) Emergent relief - domestic violence complaint process.
  - d) Arrest- criminal complaint process or probable cause domestic violence complaint.
- 9) Complete appropriate reports.
- a) Give information to dispatcher or complete incident card.
  - b) Assigned Officer will complete Domestic Dispute Investigation Report (SEE Section III).
  - c) Assigned Officer will complete State of New Jersey Domestic Violence Offense Report (SEE Section IV).
  - d) Obtain written statements from the victim where it is alleged that Domestic Violence Offenses have been committed.

C) IF ENTRY IS REFUSED -

- 1) Be persistent, do not just go away.
- 2) Explain that you must be sure there is no serious problem or trouble.
- 3) Be extremely careful even if the victim, seen or unseen, assures you everything is O.K.
- 4) Attempt to see and speak to both parties.
- 5) IF there is probable cause to believe that a crime has been committed, you may enter forcibly. (This is a last resort consideration based partially on your intent to arrest the actor).

D) If the victim decides to pursue the Domestic Violence Complaint process:

- 1) Between 9:00 A.M. and 4:30 P.M. Monday thru Friday
  - a) The victim must file the complaint with the Clerk of the Juvenile and Domestic Relations Court, (now Family Part) Hackensack, New Jersey.
  - b) If no vehicle is available to the Victim, use  
Public Transportation  
Community Resources  
Police Officer (based on availability)
- 2) Between 4:30 P.M. and 9:00 A.M. Monday thru Friday and  
weekends and holidays when the Hackensack Courts are closed.
  - a) If necessary, transport the complainant to  
Headquarters.

- b) Assist the complainant in completing a written statement and the Domestic Violence Complaint - Signatures of the complainant and officer must be included on the complaint.
- c) Contact the Detective on duty or on stand-by, for further processing of complaint and/or for processing of Criminal Complaints.
- d) If Detective is unavailable -
  - 1) Contact the Municipal Judge and read the statement and complaint to him. Relay the actual incidents described by the victim and the seriousness of the situation.
  - 2) the Judge will rule based on the information and may issue a verbal order issuing a (TRO) Temporary Restraining Order.
  - 3) Complete the TRO.
  - 4) Deliver the TRO to the Sheriff's Office in Hackensack for issuance to the defendant. (In some cases the Sheriff's Office will allow the local officer to issue the TRO to defendant for expediency's sake).
  - 5) When the residence in question has been vacated by the Defendant and has been determined safe for the victim, the police officer may then transport the victim back to the residence leaving with him/her a copy of the TRO.

6) Copies of the statement, complaint and TRO must be kept on file in the Record Bureau and the original forms should be transferred to the Municipal Court Clerk for signature and processing on the next business day.

7) If the defendant cannot be found by the Police or Sheriff's Officer and therefore, the TRO has not been served, the order of restraint is still in effect.

Extra copies can then be given to the victim or left with our warrants for service at next contact.

8) If the defendant violates the TRO conditions set by the Municipal Court Judge, and is therefore threatening the safety of the victim once again, the police officer can arrest the individual and hold him/her until compliance with the order is insured.

9) Copies of all current TRO's, reports and other documents will be on file in the Records Bureau for reference in response to calls for assistance.

## APPENDIX B

APPENDIX B

GLEN RIDGE DEPARTMENT OF PUBLIC SAFETY

STANDARD OPERATING PROCEDURE FOR THE

DOMESTIC VIOLENCE ACT 2C:25-1

Based on the regulations outlined in the Prevention of the Domestic Violence Law.

DISPATCHER

1. Assign priority of response by the seriousness of assault or threats and whether an assault is in progress. Priority of the call will be based on the seriousness of the injuries or threatened harm.
2. Priority of the call should be based upon information received from the caller.

DISPATCHER SHOULD: (when possible)

- a. Ask caller if an assault has occurred.
- b. Extent of injuries.
- c. If drugs or alcohol are involved.
- d. A temporary restraining order is in effect. (increased risk to officers)
- e. Evidence of assault, such as screams, interrupted or incomplete phone calls. (immediate response)
- f. Assure victim help is on the way, give responding officers as much information as possible and keep victim on the phone for additional information.



#### OFFICERS ARRIVAL AT SCENE

1. Turn off lights and siren before arrival (to be discreet, to avoid aggravating the assailant and for self protection)
2. Make an assessment of the scene, watch for danger signals.
3. When possible officers should wait to be invited inside, but should not hesitate to make a forced entry to protect the victim. (FIRST PRIORITY).
4. Upon entry into the home, the officers must (STATUTORY OBLIGATION)
  - a. Protect the victim.
  - b. Arrest the assailant. (if domestic violence elements are present)
  - c. If there are injuries, get medical attention.
  - d. The officer shall read the victim or victims their rights granted them under the Domestic Violence Act.
5. The Officer will conduct a preliminary investigation that shall include:
  - a. Interview the disputants separately. (if probable cause for arrest is present, give the Miranda warning)
  - b. Interview all witnesses.
  - c. Collect any physical evidence.
  - d. Photograph physical injuries.
  - e. Advise victims or disputants of the availability of community services, encourage counseling and assistance prior to violent behavior.
  - f. Complete domestic violence offense report.
  - g. Assist the victim in the filing of the complaint against the actor.

DOMESTIC VIOLENCE COMPLAINT PROCESS

1. BETWEEN 8:30 A.M. And 3:30 P.M. MONDAY THRU FRIDAY

- a. The victim must file the complaint with the clerk of the Family Court at the Essex County Courthouse in Newark, New Jersey.

CLERK'S OFFICE, ROOM B-10

470 HIGH STREET

OLD COURT HOUSE

NEWARK, NEW JERSEY

- b. If the victim has no means of transportation to the Courthouse, the police should see to it that such transportation is provided:

- 1) PUBLIC TRANSPORTATION

- 2) COMMUNITY RESOURCES

- 3) POLICE OFFICER

2. BETWEEN 3:30 P.M. And 8:30 A.M. MONDAY THRU FRIDAY, WEEKENDS  
AND HOLIDAYS, WHEN THE FAMILY COURTS ARE CLOSED:

- a. Transport the victim to headquarters
- b. Have the victim complete a handwritten statement that provides the facts of the incident
- c. The officer will complete the Domestic Violence Complaint form. Both victim and officer must sign the complaint.
- d. Contact the municipal judge and in his absence, contact a judge from the attached list. The judge has the option to come to headquarters or process the complaint by the telephone. The officer will read the statement

and the complaint to the judge and will inform the judge of the results of his investigation.

- e. The judge will rule based on the information and may issue a Temporary Restraining Order. The judge's ruling shall be recorded in the officer's Internal Domestic Dispute Report.
- f. If so ordered by the judge, complete the Temporary Restraining Order.
- g. The police will then issue a copy of the Temporary Restraining Order to the defendant, if he or she can be found. A copy of the Temporary Restraining Order will also be given to the victim. The police should remain at the residence until the defendant has vacated the residence. (If the Defendant is not arrested)

NOTE: Any violation of the Temporary Restraining Order is grounds for arrest for contempt.

- h. When the residence has been vacated by the defendant and has been determined safe for the Victim, the police officer may then transport the victim back to the residence.

## RECORDS AND REPORTS

1. Copies of the Statement, Complaint and the Temporary Restraining Order must be kept on file in the Record Bureau and the original forms should be transferred to the Municipal Court Clerk for signature and processing the next business day.
2. An Internal Domestic Dispute Report (Police Dept. Report) will be submitted every time officers are assigned to any type of domestic dispute.
3. All the following forms and reports will be filled out and submitted by the officers when they are assigned to a Domestic Violence Call. An alphabetical file (victim's name) will also be maintained in the Records Bureau.

### FILE WILL CONTAIN:

- a. Internal Domestic Dispute Report.
  - b. Victim Rights Form.
  - c. New Jersey Domestic Violence Report.
  - d. Domestic Violence Complaint Form.
  - e. Statement Forms.
  - f. Criminal Complaint Form. (if victim wishes to sign a  
(Criminal Complaint)
  - g. Temporary Restraining Order Form.
4. The Records Bureau will maintain accessible files for personnel to use as a reference in response to Domestic Violence Calls. These files are "Confidential", for Police Department use only. All records maintained pursuant to this act shall be confidential and shall not be made available to any individual or institution, except by Court Order.

PROCEDURES FOR FILING DOMESTIC VIOLENCE FORMS

BY THE INVESTIGATING OFFICER

1. VICTIM RIGHTS FORM

Officer will read the victim the rights form, fill in the information and have the victim sign the form.

2. STATE OF N.J. DOMESTIC VIOLENCE OFFENSE REPORT FORM

Officer will gather all the necessary information for this form and complete it.

3. DOMESTIC VIOLENCE COMPLAINT FORM

Officer will complete the Domestic Violence Form. Both victim and officer must sign the complaint form.

4. STATEMENT FORM

Officer will have victim give him a statement that provides all the facts of the incident.

5. STATE OF N.J. COMPLAINT FORM (CRIMINAL COMPLAINT)

Officer will complete complaint if victim wishes to sign a criminal complaint. Both complaints may be processed simultaneously.

6. TEMPORARY RESTRAINING ORDER FORM

Officer will contact the judge and inform him of the results of his investigation. Officer will then complete the Restraining Order Form.

- NOTE: A copy of this form will be given to both the defendant and the victim. Officer who serves this form, must complete Return Of Service Section on bottom of form.

All original forms and a copy of the officers Incident Report will then be forwarded to the Municipal Court Clerk on the following business day for processing.

## APPENDIX C

● routinely, always  
 ● usually  
 ○ rarely

Services Available

COUNTY	BASELINE										EXPANDED																								
	24 hour Hotline and Information	24 hour Shelter Entry	Emergency food, Clothing, Medical Care, Transportation	Legal Advocacy	Court Accompaniment	Counseling for Victims	DAY CARE	- in shelter provision	- recreation	EDUCATION FOR CHILDREN	- in shelter provision	- trans. to original school	- enrollment in new school	COMMUNITY NETWORKING	LIFE SKILLS TRAINING FOR VICTIMS	COMMUNITY EDUCATION	HOUSING RELATED SERVICES	- referral	- locator	- development	- 2nd stage	- rescue of possessions	EMPLOYMENT RELATED	- referral	- direct training	TRANSPORTATION	COUNSELING	- victim support groups	- children	- battered	- crisis intervention teams	- follow-up (post crisis)			
Atlantic	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Bergen	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Burlington	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Camden	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Cape May	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Cumberland	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Essex	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Gloucester	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Hudson	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
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Jersey	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Middlesex	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Monmouth	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Morris	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Ocean	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Passaic	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Salem	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Somerset	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Sussex	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
Union	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●		
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## APPENDIX D

#### APPENDIX D

It has been the policy of the Union County Prosecutor's Office, Victim/Witness Assistance Unit to reach out and extend our services to provide a more comprehensive service for domestic violence victims because it is essential for the emotional stability of our clients to raise their level of self-esteem.

The services we provide to Domestic Violence victims are:

1. Explanation of what to expect and how to apply for an emergency restraining order;
2. Emotional Support;
3. Referrals to area shelters and social service agencies;
4. Occasional interpreting for Spanish speaking victims.

As a minimum, other Victim/Witness Assistance Units could offer some of these related services as suggested by the Victim/Witness Programs Development Guide for special consideration for special needs group. It would be recommended that every county have a domestic violence legal advocate.

## APPENDIX E

## AFFILIATION AGREEMENT

### INTRODUCTORY STATEMENT:

The purpose of this affiliation agreement is to create and maintain a formal cooperative working relationship between the Family Part of Superior Court and the Bergen County Alternatives to Domestic Violence Program. The scope of this agreement is limited to the procedural relationship between the parties to this agreement. This is not a fiscal affiliation. However, the Family Part of Superior Court agrees to recognize ADV's sliding scale fee structure for counselling services. This agreement is subject to amendment with the concurrence of the Family Part and ADV.

### PROGRAM DESCRIPTION: Family Part of Superior Court

The Family Part of Superior Court is the judicial body with jurisdiction over all family matters. Specifically, it is the judicial body responsible for hearing domestic violence complaints. The Family Part of Superior Court will confront the underlying issues that create these problems and will attempt with assistance from community resources to solve them.

The Family Part of Superior Court is located in the County Courthouse at 10 Main Street in Hackensack. Domestic Violence complaints may be filed in the Clerk's office Monday through Friday between the hours of 9 a.m. and 4:30 p.m.

The domestic violence complaint is a civil action. It is understood that in a civil action the party is asking the Court to resolve a conflict and not to punish that person for breaking the law. At present, two Family Part Judges hear domestic violence complaints on an as needed basis.

### Alternatives to Domestic Violence:

The Bergen County Alternatives to Domestic Violence Program is a multi-service program available to families in Bergen County in which there is physical abuse. ADV possesses the expertise to effectively address the needs of domestic violence victims and their families and the mechanisms to provide support. The primary goal of the program is intervention to reduce and eliminate the occurrence of domestic violence at home. Services include: 24 hour hotline (487-8484), individual, support group, marital, couple and family counselling, legal assessment and consultation, advocacy, training and education, and child care and transportation when needed.

ADV, administered by the Bergen County Department of Health Services in cooperation with the Board of Chosen Freeholders, is located at 355 Main Street in Hackensack. Office hours are 9:00 to 9:00 Monday through Thursday, 9 a.m. to 5 p.m. on Friday, and Saturday by appointment only.

### JOINT RESPONSIBILITIES:

The Family Part of Superior Court and the ADV Program agree that domestic violence is a serious crime against society; that there are thousands of persons in Bergen County who are regularly beaten, tortured and in some cases even killed by their spouses or cohabitants; that a significant number of women who are assaulted are pregnant; that victims of domestic violence come from all social and economic and ethnic groups; that there is a positive correlation between spouse abuse and child abuse; and that children, even when they are not themselves physically assaulted, suffer deep and lasting emotional effects from exposure to domestic violence. It is therefore, our intent to assure the victims of domestic violence the maximum protection from abuse the law can provide.

It is our intent to stress the importance of the intervention cycle which involves the Courts, Law Enforcement and helping professionals such as the ADV Program.

- a. The primary duty of the law enforcement officer when responding to a domestic violence call is to enforce the laws allegedly violated and to protect the victim.
- b. It is further intended that the official judicial response to domestic violence shall communicate the attitude that violent behavior will not be excused or tolerated, and shall make clear the fact that the existing criminal laws and civil remedies created under the Prevention of Domestic Violence Act will be enforced without regard to the fact that the violence grows out of a domestic situation.
- c. In addition, helping professionals recognize domestic violence as learned behavior, perpetuated from generation to generation through poor role modeling. Experience has proven that comprehensive counselling coupled with a broad range of concrete and advocacy services effectively interrupts and serves to modify violent behavior patterns.

### RESPONSIBILITIES OF THE FAMILY PART OF SUPERIOR COURT:

Complaint by victim:

- a. A victim may file a complaint alleging the commission of an act of domestic violence with the Family Part of Superior Court. Filing a complaint shall not prevent the filing of a criminal complaint for the same act.
- b. The Family Part shall waive any requirement that the victim's place of residence appear on the complaint.
- c. The clerk of the court, or other person designated by the court, shall assist the parties in completing any forms necessary for the filing of summons complaint, answer or other pleading.
- d. Summons and complaint forms shall be readily available at the clerk's office.

e. Complaints filed by the plaintiff as a result of a violation of the original order of restraint shall record the contempt action of the defendant.

HEARING PROCEDURES:

a. A hearing shall be held in the Family Part within 10 days of the filing of a complaint pursuant to section 12 of the Prevention of Domestic Violence Act. A copy of the complaint shall be served on the defendant in conformity with the rules of court. At the hearing the standard for proving the allegations in the complaint shall be by the preponderance of the evidence. The court shall consider but not be limited to the following:

1. The previous history of domestic violence between the cohabitants including threats, harrassment and physical abuse.
2. The existence of immediate danger to person or property.
3. The financial circumstances of the cohabitants.
4. The best interests of the victim and other family members.
5. The protection of the victim's safety in determining visitation and custody.
6. Whether the application was made in a reasonable time after the alleged act of domestic violence occurred.

b. At the hearing the Family Part may issue an order granting any or all of the following relief:

1. An order prohibiting the defendant from having contact with the victim including, but not limited to, restraining the defendant from entering the plaintiff's residence, place of employment or business, or school. The court shall prohibit the defendant from harassing the plaintiff or plaintiff's relatives in any way.
2. An order granting possession to the plaintiff of the residence to the exclusion of the defendant when the residence or household is jointly owned or leased by the parties provided that this issue has not been resolved nor is being litigated between the parties in another action. The court may amend its order at any time upon petition by either party.
3. When the defendant has a duty to support the plaintiff or minor children living in the residence or household and the defendant is sole owner or lessee of the residence, an order granting possession to the plaintiff of the

residence or household to the exclusion of the defendant may be issued or, upon consent of the parties, allowing the defendant to provide suitable, alternate housing provided that this issue has not been resolved nor is being litigated between the parties in another action.

4. When the parties are married, sole ownership in the name of the defendant of the real property constituting the residence of the parties shall not bar the court from entering an order restraining the defendant from entering the marital residence. No order shall affect any interest in the residence held by either party.

5. An order determining child support, child custody, or establishing visitation rights, provided that these issues have not been resolved nor are being litigated between the parties in another action. The court shall protect the safety of the plaintiff by specifying a place of visitation away from the plaintiff or take any other appropriate precaution necessary to protect the safety and well-being of the plaintiff and minor children.

6. An order requiring the defendant to pay the victim monetary compensation for losses suffered as a direct result of the act of domestic violence. Compensatory losses shall include, but not be limited to, loss of earnings or support, out of pocket losses for injuries sustained, moving expenses, reasonable attorney's fees and compensation for pain and suffering. Where appropriate punitive damages may be awarded in addition to compensatory damages.

7. An order requiring the defendant to receive professional counseling from either the Alternatives to Domestic Violence Program or a source appointed by the court and, in that event, at the court's discretion requiring the defendant to provide the court at specified intervals with documentation of attendance at the professional counseling. The court may order the defendant to pay for the professional counseling.

#### Emergency Relief:

a. In addition to the relief sought in the previous section, a plaintiff may seek emergency, ex parte relief in the nature of a temporary restraining order. The Family Part may enter orders when necessary to protect life, health or well being of a victim on whose behalf the relief is sought. A hearing shall be held on an ex parte order within 10 days of the issuance thereof.

1. Whenever emergency relief is sought by the plaintiff the clerk of the court or other person designated by the court shall immediately transmit the complaint to the presiding Family Part Judge, for assignment, to be heard before the clerk of the business day.

2. An order granting emergency relief shall then be forwarded to the sheriff for immediate service of the order upon the defendant.

3. An order for emergency relief shall be granted upon good cause shown.

4. Emergency relief may constitute all relief available under the Prevention of Domestic Violence Act.
5. Orders issued pursuant to the Prevention of Domestic Violence Act shall be sent by the clerk of the Family Part to the appropriate chiefs of police, and any other appropriate law enforcement agency.

RESPONSIBILITIES OF THE ALTERNATIVES TO DOMESTIC VIOLENCE PROGRAM:

Services to Clients:

The Alternatives to Domestic Violence Program will provide services to families in Bergen County affected by the violence in their homes. Through comprehensive approach to problem-solving combining crisis intervention, intake assessment, counselling, legal consultation and representation, information and referral, advocacy, and preventative training and education, the ADV program will work with the entire family unit toward interrupting the cycle of violent behavior.

Service Population:

a. Families involved in intrafamilial violence shall be provided service by the Alternatives to Domestic Violence Program. ADV regards all family members as victims of the violence in their homes; the abused, the abusive, and their children at great risk of perpetuating the violent behavior in their later adult relationships.

b. Pursuant to the Prevention of Domestic Violence Act service shall be provided to:

1. Cohabitants - emancipated minors, persons 18 years or older of the opposite sex, persons 18 years or older related by blood who have resided together, and persons, together, who are parents of one or more children regardless of their marital status or whether they have lived together at any time.

2. Specifically: violence between spouses, lovers or parents of children, elderly persons abused by their adult children, parents abused by their children, siblings involved in violent relationships and teens in violent dating relationships. Children abused by their parents are by law referred to the Division of Youth and Family Services and are not within the mandate of the ADV program unless referred for service by DYFS agreement.

Service Providers:

The ADV Program shall provide:

1. Administrative staff responsible for developing and implementing strategies to increase public commitment to the prevention and elimination of domestic violence as a social crisis and responsibility.



2. Clinical staff experienced in providing treatment to families involved in patterns of violent behavior; those who are suffering from abuse, abusers unable to control their violent behavior and children who have been either subject to the abuse or witness to the violence between their parents.

3. Paraprofessional staff, volunteers and externs, specifically trained to work with families in crisis.

Court Action - Client Advocacy:

a. Clients of the Alternatives to Domestic Violence Program who are in need of protection under the Prevention of Domestic Violence Act shall be assisted by ADV in completing all complaint forms, in the collection of evidence and in the preparation of testimony for court.

b. Victims of domestic violence, unable to follow through on court action, may be referred to the ADV program by the court clerk or person designated by the court for a crisis intervention inventory and assistance in decision making.

c. Clients of the Alternatives to Domestic Violence Program who are involved in active matrimonial matters will be encouraged to have legal representation in cases brought under the Prevention of Domestic Violence Act, for their own protection and the protection of their families.

d. Clients of the Alternatives to Domestic Violence Program will be cautioned against filing complaints under the Prevention of Domestic Violence Act which are not in keeping with the intent of the legislation.

Court Action - Referral of Defendants:

a. The Alternatives to Domestic Violence Program will accept clients mandated by the Family Part under the Prevention of Domestic Violence Act.

b. Defendants remanded to the ADV program will be informed by the court that an intake appointment must be scheduled at the ADV program within 10 working days of the court order.

c. The intake appointment shall include the gathering of facts regarding family composition, the presenting problem, the history of abuse, the marriage relationship/family, and family background.

d. Defendants remanded to the ADV program shall be provided counselling services for a period of 6 months.

e. Defendants provided counselling by the ADV program shall be offered service based upon the best possible course of action to take in light of the clients' individual needs, circumstances and opportunities.

f. Periodic progress reports regarding attendance will be prepared and sent to the Family Court Clerk or person designated by the court, for filing in the litigant's case records.

**Program Assessment - Referral of Defendant:**

a. Defendants remanded to the ADV Program for service will be assessed for appropriateness of service based upon the material presented during the intake.

b. Defendants assessed as inappropriately served by the ADV Program shall be referred by the Clinical Supervisor, to the service provider best prepared to provide assistance.

c. Defendants most likely to be referred to a service provider other than the ADV Program are:

1. Those suffering from extreme emotional dysfunction

2. Those abusing drugs and/or alcohol to a point requiring inpatient treatment

3. Those presently involved in a counseling relationship, the modality of which would be duplicated by ADV.

a. However, should the defendant have needs not addressed in the present counseling relationship, ADV would provide services specifically designed to meet those needs.

**CONCLUDING STATEMENT:**

The responsibility for the implementation of this agreement rests with the Executive Director of the Department of Health Services under which the ADV Program is administered and the Presiding Judge of the Family Part of Superior Court. This affiliation agreement shall remain in effect and can only be terminated or modified upon 30 days written notice to the parties.

## APPENDIX F

## BASIC TRAINING FOR POLICE OFFICERS IN THE SUBJECT DOMESTIC DISPUTES

With the passage of the Prevention of Domestic Violence Act, the Police Training Commissioners approved distribution of instructional materials to be used in developing lesson plans for the commission-mandated subject, Domestic Disputes. The materials were reviewed for consistency with the new legislation. The materials to be used for training all entry-level police officers at the 15 commission-approved schools stressed the enforcement of criminal laws in domestic dispute situations, the protection of the victim, and the use of available community resources.

The following materials were distributed to each of the commission-approved schools to be used by instructors in the development of their lesson plans pertaining to domestic disputes:

Police Training Commission Director's Manual,  
Syllabus: Domestic Disputes, including Lesson  
Outline for Handling Family Disputes.

Public Law 1981, Chapter 426 "Prevention of  
Domestic Violence Act." (N.J.S.A. 2C:25-1.)

International Association of Chiefs of Police,  
Training Key 245, "Wife Beating." Training  
Key 246, "Investigation of Wife Beating."  
(Training Keys had been reproduced with the  
permission of the International Association  
of Chiefs of Police to replace materials  
that were inconsistent with the new legislation.)

Police Executive Research Forum, Spouse Abuse:  
a Curriculum Guide for Police Trainers.

New Jersey Division of Criminal Justice,  
Resource Directory for Victim Assistance:  
An Information and Referral Resource for  
Victims and Witnesses of Crime.

New Jersey Division of Youth and Family Services,  
Physically Abused Women and Their Families:  
The Need for Community Services.

After the materials were distributed, staff monitored instructor presentations to ensure that instruction was consistent with the legislation and that current materials were being used.

## APPENDIX G

## LESSON PLAN

UNIT TITLE: Responding to Spouse Abuse

UNIT GOAL: The officer will better understand the nature and causes of spouse abuse and learn new methods of handling these calls effectively in compliance with the "Prevention of Domestic Violence Act" N.J.S.A. 2C:25-1 et al. He will also be made aware of the community resources presently available to assist him.

UNIT DESCRIPTION: This training session exposes the officer to some of the social and psychological causes of spouse abuse. It distinguishes between criminal violations and civil disputes. It also specifies that when responding to a domestic violence call, the primary duties of the responding officer are to enforce the laws allegedly violated, to protect the victim, and to use available community resources. This session emphasizes compliance with the "Prevention of Domestic Act."

MIN. REQUIRED HOURS: 2-3 Hours

RESOURCES: N.J.S.A. 2C:25-1 et al.  
Spouse Abuse and Wife Beating  
Spouse Abuse: A Guide for Police Trainees  
IACP Training Keys #245 and #246  
About Wife Abuse  
Films:  
1) Shifting Gears  
2) A Family Affair

INSTRUCTOR:

DATE:

The Department of Community Affairs, Division of Local Government Services, deeply appreciate the assistance of Sgt. Luther Engler, Newark Police Department for his assistance in the development of the Lesson Plan.

## LESSON PLAN

### RESPONDING TO SPOUSE ABUSE

#### I. INTRODUCTION

Today we are going to discuss an issue that has tended to frustrate police officers for as long as I can remember, Domestic Violence. Domestic Violence (which includes spouse abuse) is a very complex social problem. The officers' frustrations can be attributed to a lack of clear Department guidelines and the ineffectiveness of traditional police techniques. These police practices, which emphasize separation or reconciliation of the parties and avoidance of arrest, have proven to be inappropriate for violent calls. They may also have inadvertently contributed to repeat incidents of assaults against victims and officers alike by failing to provide the victim with adequate protection or to hold the assailant accountable for his actions.

Our techniques have been unsuccessful in a large number of cases because "Domestic Disturbance" is too broad a classification to allow exclusive use of only one approach. Another indication of our ineffectiveness is the growing number of law suits charging police malfeasance which have been filed by battered women and women's rights groups around the country.

As a result of some of this litigation, states are passing new laws directing law enforcement agencies to enforce criminal laws regardless of the relationship of the parties involved, to protect the victim, and to use available community resources to effect a more permanent solution to the social problems at issue.

Now we are going to take a look at the nature and causes of spouse abuse. The "Prevention of Domestic Violence Act" (N.J.S.A. 2C:25-1 et. al.,) and examine the community resources that are presently available to help us with more permanent solutions to some of our Domestic Disturbance calls.

# LESSON PLAN

## RESPONDING TO SPOUSE ABUSE

TEACHING SEQUENCE	TEACHING STRAT
<p>II. Responding to Spouse Abuse</p> <p>A. Understanding Spouse Abuse</p> <ol style="list-style-type: none"> <li>1. <u>What</u> is Spouse Abuse - Assaultive behavior between adult intimates, in four forms: (Dr. Anne L. Ganley) <ol style="list-style-type: none"> <li>a. Physical battering</li> <li>b. Sexual Violence <ol style="list-style-type: none"> <li>1) Physical attacks on victim's breasts/genitals</li> <li>2) Forced sexual activity w/violence or threat of violence.</li> </ol> </li> <li>c. Psychological battering <ol style="list-style-type: none"> <li>1) Occurs where there has been at least one episode of physical violence.</li> <li>2) Victim knows he is capable of backing up threats w/physical assaults.</li> </ol> </li> <li>d. Destruction of property and/or pets</li> <li>e. All four done to show <u>control</u> and <u>domination</u></li> <li>f. Often his feelings of insecurity, anxiety and helplessness trigger his violence toward her.</li> </ol> </li> <li>2. Causes - Social Learning Theory <ol style="list-style-type: none"> <li>a. Battering is one way that <u>certain</u> people have learned to respond to stress. <ol style="list-style-type: none"> <li>1) Not a universal response</li> <li>2) Stress or may be internal - feelings of insecurity, inadequacy, or helplessness or external - interpersonal conflict, unemployment, etc.</li> </ol> </li> </ol> </li> </ol>	



LESSON PLAN  
RESPONDING TO SPOUSE ABUSE

TEACHING SEQUENCE	TEACHING STR
<ul style="list-style-type: none"><li>b. All people have "breaking points"<ul style="list-style-type: none"><li>1) Varies from person to person</li><li>2) Some laugh, cry, become passive, drink alcohol, talk, and some become violent.</li></ul></li><li>c. Largely depends on what they <u>learned</u> in the past.<ul style="list-style-type: none"><li>1) Learned to reduce tension through aggression toward another.</li><li>2) Safest place to strike out, in terms of punitive consequences, is in the family.</li><li>3) Certain cultural and social values about masculinity support their violence.</li></ul></li><li>d. High percentage of batterers were battered as children or witnessed abuse between significant adults in their lives.</li><li>e. Violence is often inadvertently reinforced by what follows the battering episode.<ul style="list-style-type: none"><li>1) Victim (after the beating) does as he insists</li><li>2) Others treat him w/more respect</li><li>3) He feels more in control</li><li>4) Rarely punished</li></ul></li><li>f. With these reinforcers and lack of punishment, he is more likely to act out violently again when he is under stress.</li></ul>	

LESSON PLAN  
RESPONDING TO SPOUSE ABUSE

TEACHING SEQUENCE	TEACHING STRATE
<p>3. Characteristics of Men who Batter</p> <ul style="list-style-type: none"><li>a. All races, occupations, ages, religions etc.</li><li>b. Victims of abuse as children<ul style="list-style-type: none"><li>1) Families training grounds for violence<ul style="list-style-type: none"><li>a) Selves or significant adults</li></ul></li></ul></li><li>c. Minimize or deny seriousness of violence to selves and others.<ul style="list-style-type: none"><li>1) Tell police only little fight</li><li>2) Painful for them to recognize what they are doing.</li></ul></li><li>d. Externalization<ul style="list-style-type: none"><li>1) Attribute cause to victim, alcoholism, or other factors beyond his control.</li></ul></li><li>e. Isolation<ul style="list-style-type: none"><li>1) Step by step cuts her off from her social support system.</li><li>2) Imposes isolation on self - few <u>real</u> friends</li></ul></li><li>f. Dependency on and excessive possessiveness of the victim.<ul style="list-style-type: none"><li>1) Jealousy - assumes she is having an affair w/every man she sees.</li><li>2) Because of intense dependency on her, he is fearful that he may in some way lose her attention.</li></ul></li></ul>	

LESSON PLAN  
RESPONDING TO SPOUSE ABUSE

TEACHING SEQUENCE	TEACHING S
<ul style="list-style-type: none"> <li>3) Increased chance of violence if he perceives her trying to become independent of him.</li> <li>g. High need for control and domination               <ul style="list-style-type: none"> <li>1) Need to be in charge</li> </ul> </li> <li>h. Tendency to express emotions as anger               <ul style="list-style-type: none"> <li>1) Everything is fine or angry</li> <li>2) Anger instead of hurt, anxiety, sadness, guilt, helplessness, vulnerability etc.</li> </ul> </li> <li>i. Depression and suicide               <ul style="list-style-type: none"> <li>1) Prone to psychological disorders</li> </ul> </li> <li>j. Low self esteem</li> <li>4. Cycle Theory of Battering Dr. Leonore Walker               <ul style="list-style-type: none"> <li>a. Three distinct phases - repeated over a period of time.                   <ul style="list-style-type: none"> <li>1) Tension building phase                       <ul style="list-style-type: none"> <li>a) More oppressive jealousy and possessiveness</li> <li>b) Little episodes of violence</li> </ul> </li> <li>2) Battering or Violent phase                       <ul style="list-style-type: none"> <li>a) Victims report that to fight back only invites more serious violence.</li> </ul> </li> <li>3) Calm, loving phase                       <ul style="list-style-type: none"> <li>a) He is usually sorry for what he has done</li> </ul> </li> </ul> </li> </ul> </li> </ul>	

LESSON PLAN  
RESPONDING TO SPOUSE ABUSE

TEACHING SEQUENCE	TEACHING STRAT
<ul style="list-style-type: none"> <li>b) His worst fear is that she will leave him and he is charming enough to attempt everything to make sure this doesn't happen.</li> <li>c) He believes he can control himself and will never hurt her again.</li> <li>d) Almost all the rewards of being married or coupled occur during phase three for the women, this is the time that is the most difficult for her to make a decision to end the relationship.</li> <li>e) She in effect becomes an accomplice to her own battering.</li> </ul> <p>b. Many battered women are economically dependent on their husbands.</p> <ul style="list-style-type: none"> <li>1) Primary reason abused women do not leave             <ul style="list-style-type: none"> <li>a) No money - no jobs - children - lack of shelter - loss of self esteem and confidence.</li> </ul> </li> <li>c. Fear of husband reprisal also contributes to keeping abused women in the battering relationship.</li> <li>d. Social isolation from family and friends is also a factor.</li> </ul>	

# LESSON PLAN RESPONDING TO SPOUSE ABUSE

TEACHING SEQUENCE	TEACHING S
<p>e. Battered women, in short, do not know how to get out of their relationships.</p> <p>5. How often does it happen</p> <p>a. One in ten battered women call police.</p> <p>1) Trends more visible in low income families who are more likely to use public services.</p> <p>b. 50 - 60% of all marriages experience violence. (a national study)</p> <p>1) Kentucky study - 21% of married women report having experienced at least one incident of spousal violence.</p> <p>B. Statutory Requirements</p> <p>1. Rule of Thumb - In colonial times, a husband had the right "To whip his wife, provided he used a switch no bigger than his thumb."</p> <p>a. Since the husband had to answer for her misbehavior, the law thought it reasonable to entrust him with the power of chastisement.</p> <p>2. An early Pennsylvania ordinance expressly forbade a man to beat his wife after ten o'clock at night or on Sundays.</p> <p>3. Wife beating was not made illegal in France until 1924 or in Scotland, Iran, and Italy until the 1970's.</p> <p>4. Legal reform in the U.S. was initiated in the early 19th century.</p>	

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<p>5. Statutes evolved with the help of recent class action suits to the present "Prevention of Domestic Violence Act" passed in New Jersey in 1982.</p> <p>a. These statutes suggest a <u>growing</u> national trend in which law makers are acknowledging the seriousness of spousal violence cases.</p> <p>6. Definitions</p> <p>a. <u>Cohabitants</u> - means emancipated minors or persons 18 years of age or older of the opposite sex who have resided together or who currently are residing in the same quarters, persons who together are the parents of one or more children, regardless of their marital status or whether they lived together at any time, or persons 18 years of age or older who are related by blood and who currently are residing in the same living quarters.</p> <p>b. <u>Domestic Violence</u> - means the occurrence of one or more of the following acts between cohabitants:</p> <table><tr><td>1) Assault</td><td>NJS. 2C:12-1</td></tr><tr><td>2) Kidnapping</td><td>NJS. 2C:13-1</td></tr><tr><td>3) Criminal restraint</td><td>NJS. 2C:13-2</td></tr><tr><td>4) False imprisonment</td><td>NJS. 2C:13-3</td></tr><tr><td>5) Sexual assault</td><td>NJS. 2C:14-2</td></tr><tr><td>6) Criminal sexual contact</td><td>NJS. 2C:14-4</td></tr></table>	1) Assault	NJS. 2C:12-1	2) Kidnapping	NJS. 2C:13-1	3) Criminal restraint	NJS. 2C:13-2	4) False imprisonment	NJS. 2C:13-3	5) Sexual assault	NJS. 2C:14-2	6) Criminal sexual contact	NJS. 2C:14-4	
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<p>7) Lewdness NJS. 2C:14-4</p> <p>8) Criminal mischief NJS. 2C:17-3</p> <p>9) Burglary NJS. 2C:18-2</p> <p>10) Harassment NJS. 2C:33-4</p> <p>7. A law enforcement officer may arrest a person:</p> <p>a. When the officer has Probable Cause (P.C.) to believe that a person has violated the terms of a court order (e.g. restraining order.)</p> <p>b. A victim exhibits signs of injury or there is other P.C. to believe that an act of domestic violence has been committed.</p> <p>8. A law enforcement officer shall <u>not</u> be held liable in any <u>civil</u> action brought by any party for an arrest based on probable cause, enforcement in good faith of a court order, or any other act or omission in good faith under this act.</p> <p>9. A law enforcement officer shall disseminate to the victim the following notice which shall be written in both English and Spanish. (DPI:1884)</p> <p>a. You have the right to go to the Family Court and file a complaint requesting relief including but not limited to the following:</p> <p>1) An order restraining your attacker from abusing you: or directing your attacker to leave your household.</p>	

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<p>b. You may request that the clerk of the court assist you in applying for this order.</p> <p>c. You also have the right to go to court and file a criminal complaint.</p> <p>d. On weekends, holidays and other times when the courts are closed, you may go to the Municipal Court for an emergency order granting the relief set forth above.</p> <p>1) Department members shall be provided with the information necessary, i.e., Municipal Court weekend and holiday telephone number, to give victim.</p> <p>10. We recommend that to verify that the rights, under this "Act," were disseminated to the victim, officer shall have the victim affix his or her signature under block #20 of the N.J.S.P. Domestic Violence offense report. (DV1) This signature shall immediately follow the designation of "Certification of Domestic Violence Victims Rights Notice received which shall be written in by the officer executing the report.</p> <p>11. It shall be the duty of a law enforcement officer who responds to any domestic disturbance call to complete a (N.J.S.P.) Domestic Violence offense report, DV1 (unless the victim is Gone on Arrival.)</p>	



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<p style="margin-left: 40px;">a. This report shall be completed in accordance with guidance found on the back of the N.J.S.P. DVI form.</p> <p>C. Responding to the Call</p> <ol style="list-style-type: none"><li>1. Dispatcher/Desk officer - should try to determine if violence or a weapon is involved in the conflict - drinking - children.</li><li>2. Unless weapon is involved - proceed promptly w/out using lights or siren.<ol style="list-style-type: none"><li>a. If weapon is involved, lights and sirens should be used, but turned off on arrival.</li></ol></li><li>3. Park the patrol car as close to the scene as possible, but not directly in front of the residence.</li><li>4. Listen at the door for 10 to 15 seconds for any sound.<ol style="list-style-type: none"><li>a. Look through a window if possible.<ol style="list-style-type: none"><li>1) This can establish P.C., that a crime has been committed.</li><li>2) It can also justify forced entry in some cases.</li></ol></li></ol></li><li>5. Assume position on either side of the door and knock.</li><li>6. Identify selves and explain that you have been notified that someone inside may be hurt - so you want to come in and make sure that there is no problem.<ol style="list-style-type: none"><li>a. Must wait to be invited in unless you have reason to believe that the victim is in danger. (signs of a struggle - weapon - cry for help)</li></ol></li></ol>	

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<ol style="list-style-type: none"><li>7. Since assailants frequently deny or minimize the seriousness of the violence, they may appear in perfect control and try to convince the officer that there is no need for their presence.</li><li>8. He may also state that the victim is drunk, on drugs, or just fell down the steps.<ol style="list-style-type: none"><li>a. Officer should interview victim outside the presence of the assailant.</li></ol></li><li>9. Once inside with the situation under control, the officers should determine if a criminal violation has occurred and what emergency services are needed.<ol style="list-style-type: none"><li>a. The woman should be asked if she is pregnant so that necessary medical attention can be supplied.</li></ol></li><li>10. While ascertaining specifics about the incident, the officer should stop anyone who begins to incriminate himself and advise him of his rights.</li><li>11. In determining if a criminal violation has occurred, the following indicators should be considered:<ol style="list-style-type: none"><li>a. Seriousness of the injury</li><li>b. Use of weapon</li><li>c. Threats to victim</li><li>d. Disarray of household and damaged property</li><li>e. Existence of a valid protection order</li></ol></li><li>12. If victim shows evidence of abuse and refuses medical attention, the officer should contact a neighbor, family member, other than assailant or battered women's shelter</li></ol>	

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<p>staff and urge the person to make sure the victim receives medical care.</p> <p>a. Psychological Reassurance - calm and reassure the victim to maintain stability to enable officer to advise and assist in planning a course of action.</p> <p>13. Many victims only want police officers to stop the violence and nothing more.</p> <p>a. If this is the case, the officer should explain law enforcement duties (if an arrest is warranted) and emphasize the danger of repeated beatings. (more frequent and severe) <u>They will happen again.</u></p> <p>1) May have to explain that victim has suffered a criminal assault, not permitted between any two citizens regardless of their relationship - the assault represents a crime against the community.</p> <p>14. Interview witnesses outside victims/actors presence</p> <p>15. Non-verbal behavior</p> <p>a. If the officers need to maintain or restore order or authority, they should stand; if they wish to gather information or provide support, they should sit, but only if everyone is sitting.</p> <p>b. Removing uniform hat indicates friendliness and relaxation; nodding head indicates acceptance.</p>	

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<p>c. Eye contact establishes a feeling of concern and encouragement.</p> <p>D. Disposition Alternatives</p> <ol style="list-style-type: none"><li>1. After the officers have stopped the violence, re-stored order, and acquired the necessary information, they should decide how to resolve the case.<ol style="list-style-type: none"><li>a. At no time leaving the assailant unguarded to prevent a second attack.</li></ol></li><li>2. The officers' <u>first</u> consideration should be the physical, emotional, and safety needs of the victim and children.</li><li>3. Next they should determine if the elements of a crime are present.</li><li>4. Third, they should consider what actions would be effective in preventing future assaults.</li><li>5. Several steps chosen in conjunction may work more effectively than one single action.<ol style="list-style-type: none"><li>a. A victim may be advised to seek a protection order and referred for medical attention and for emotional counseling.</li><li>b. An assailant may be arrested, but may also be referred to an alcohol abuse treatment program.</li><li>c. Officers should try to select from the range of alternative actions according to the particular needs of each case.</li></ol></li></ol>	

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<ul style="list-style-type: none"><li>d. This requires flexibility and a knowledge of available services in the community.</li><li>6. Our "Prevention of Domestic Violence" law expanded police power to make a warrantless arrest - especially in simple assault cases.<ul style="list-style-type: none"><li>a. This is an important step in activating the criminal justice system to reduce family violence.</li><li>b. Officers may make an arrest for violations of court orders.<ul style="list-style-type: none"><li>1) He must verify the status of an order.</li></ul></li><li>c. If there is evidence of physical harm to the victim, the officers should make an arrest.</li></ul></li><li>7. Why arrest when called into a family disturbance that has resulted in violence?<ul style="list-style-type: none"><li>a. Above all, immediate arrest may prevent further injury.</li><li>b. Secondly, out of fear of violence, fear of losing the relationship, fear of economic hardship, or shame etc., the victim, usually a woman, will often at some point attempt to protect her abuser from prosecution. Intervention by the police (arrest) shifts the responsibility of placing controls on the assailant from the victim to community agencies</li></ul></li></ul>	

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<p>which increases the ability of the system to hold assailants responsible for their use of violence.</p> <p>1) Prosecution practices which view victims as witnesses rather than a complaintant further removes them from the responsibility of controlling their partners' violence.</p> <p>c. Finally, an arrest communicates to the parties that the abuser <u>HAS COMMITTED A CRIME</u>, that the victim has a right not to be beaten, and that the criminal justice system will take actions to stop abuse.</p> <p>d. A Police Foundation study showed that in domestic assault/homicides in Kansas City, in 85% of the cases, police had responded to at least one call at the address where the crime occurred, and in half the cases they had been there 5 times prior to the crime.</p> <p>8. Many couples will need counseling and assistance, whether or not they stay together, even if they file criminal or civil legal actions. Thus they should be referred for social services.</p> <p>a. This single action could prevent the officers from being summoned back to the household to handle subsequent assaults.</p>	

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<p>b. In order to make an effective referral, the officers must have information as to what social services are available in their area.</p> <p>c. If officers do make a referral, they should try to recommend one agency, two at the very most - to avoid confusion.</p> <p>1) The officers could reassure the people that almost everyone needs some professional help or marriage counseling at sometime and that they are free to refuse the services if they are found to be unsatisfactory.</p> <p>9. No evidence of physical injury and no criminal charges - separation of parties is recommended.</p> <p>a. Officers should remain until separation is completed</p> <p>10. No likelihood of future violence - crisis intervention skills should be used.</p> <p>a. Individuals themselves must initiate the suggestions for any settlement and both agree to the settlement.</p> <p>1) It is the <u>couple</u> - not the officers - who must be pleased w/the settlement.</p> <p>E. Using Community Resources</p> <p>1. Referrals may result in a reduction of the violence and in repeat calls to police.</p> <p>a. Corresponding reductions in victim &amp; officer injuries should follow.</p>	

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<ul style="list-style-type: none"><li>2. However, officers must first know what services are available before they can recommend them to anyone.</li><li>3. Officers may take an active role in making referrals by calling an agency while in the household or stand-by while the citizen makes the call.<ul style="list-style-type: none"><li>a. This reinforces immediate, direct action and makes sure the person has been connected to someone in a position to help. (Long Term)</li></ul></li><li>4. ATTACHMENT A is a partial list of Social and Mental Health Resources. (To be distributed at the Regional Training Sessions)</li></ul>	



### III. SUMMARY

Thus, we have seen that the typical batterer needs to control and dominate his spouse. His physical violence is a learned response to stress. This violence continues because he usually gets what he wants and is rarely punished.

The woman endures the battering because she is usually economically and psychologically dependent on her husband and has no place else to go.

The present "Prevention of Domestic Violence Act" requires us to report to the State Police all reported domestic disturbance calls. We must also advise the victim of her rights and ARE ALLOWED TO ARREST BATTERERS FOR SIMPLE ASSAULT WITHOUT WITNESSING IT. Officers are afforded protection under this law from civil litigation when acting in good faith.

Once the officers have stopped the violence and insured the physical safety of all family members, they must determine if a crime has been committed. The use of arrest in spousal violence cases involving injury, use of a deadly weapon, and/or violation of a restraining order is entirely proper. It will also demonstrate to the batterer that violence will not be tolerated - no matter what the relationship of the people involved.

Finally, the use of referrals to other social agencies should be emphasized. This alone should reduce the number of repeat calls and consequent victim and officer injuries.

## APPENDIX H

\*\*\*\*NEW JERSEY BATTERED WOMEN's RESOURCES BY COUNTY\*\*\*\*

Supplied By  
NEW JERSEY COALITION FOR BATTERED WOMEN

ATLANTIC

Atlantic County Women's Center  
A Place For Use  
609-646-6767  
SHELTER AVAILABLE

BERGEN

Alternatives to Domestic Violence  
201-487-8484

Shelter Our Sisters  
201-944-9600  
SHELTER AVAILABLE

BURLINGTON

Providence House/Willingboro Shelter  
609-871-7551  
SHELTER AVAILABLE

CAMDEN

Housing Options for Women Shelter  
609-964-8033  
SHELTER AVAILABLE - all women &  
children in crisis

SOLACE

609-963-0100 - Shelter  
609-963-7614 - Office  
SHELTER AVAILABLE

CAPE MAY

Coalition Against Rape and Abuse  
(CARA)  
609-522-6489  
ACCESS TO SHELTER

Women Against Wife Abuse (WAWA)  
609-691-3713  
ACCESS TO SHELTER

ESSEX

Essex County Family Violence Project  
201-484-4446  
SHELTER AVAILABLE

GLOUCESTER\*\*

People Against Spouse Abuse (PASA)

HUDSON

YWCA of Hudson County Battered Women's  
Project  
201-333-5700  
SHELTER AVAILABLE

HUNTERDON

Women's Crisis Services  
201-788-4044 - Office Hours  
201-782-HELP - 24 hours  
EMERGENCY SERVICES AVAILABLE

MERCER

Mercer County Women's Center  
609-394-9000  
SHELTER AVAILABLE

MIDDLESEX

Women Aware, Inc./Abused Women's Services  
201-249-4504 - Shelter  
201-249-4900 - Office  
SHELTER AVAILABLE

MONMOUTH

Women's Resource & Survival Center  
201-264-4111  
SHELTER AVAILABLE

MORRIS

Jersey Battered Women Service, Inc.  
201-267-4763 - Hotline  
201-455-1910 - Office  
SHELTER AVAILABLE

OCEAN

Advisory Commission on the Status of Women  
201-929-2136

\*\*Telephone Number for PASA - 848-5557

Resources by County  
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OCEAN

Western Community Development  
Center  
201-928-1200 Ext. 49  
EMERGENCY SERVICES AVAILABLE

PASSAIC

Women's Haven & Family Services, Inc.  
201-881-1450  
SHELTER AVAILABLE

SOMERSET

Resource Center for Women & Their  
Families  
201-685-1122  
SHELTER AVAILABLE

UNION

Battered Women's Project  
201-355-1995 - Office  
201-355-HELP - 24 hour hotline  
SHELTER AVAILABLE

WARREN

Domestic Abuse Resource Center  
201-475-5361 Ext. 374  
EMERGENCY SERVICES AVAILABLE

STATEWIDE

New Jersey Coalition for Battered Women  
609-963-2567 - Monday-Friday, 9-5

Women's Referral Central  
800-322-8092





